

TO: MS. K. CRUZ, Chief, C & P R. MR. J. Nojani  
 Federal (ADA) Monitor; J. TIPTON, Director  
 of Corrections, The Honorable The Hon  
 Henderson, Senior Federal Court Judge  
 John HAGAR, Attorney, MR. David Morris (FBI)  
 NEW

FROM: MR. Eugene Hamilton, T-33081 P.O. Box  
 CV 08 0167 INF 17 LAMARCA 93539

SUBJECT: RETALIATORILY DISCRIMINATIVE PROTRACTED  
 ADMINISTRATIVE SEGREGATION (Ad-SEG)  
 CONFINEMENT WHICH IS DEVOID OF ANY  
 THERAPEUTIC BENEFIT OR PENOLOGICAL  
 JUSTIFICATION.

(1/8pm)

MS. CRUZ

ON JULY 19, 2006 WHILE IMPRISONED AT  
 CALIPATRIA PRISON MYSELF AND MY  
 CELLMATE GRIFFIN WERE CONFINED  
 IN Ad-SEG ALLEGEDLY FOR BATTERY  
UPON EACH OTHER WITH MY MEDICALLY  
ISSUED WALKING CANE! PREMISED  
ALLEGEDLY UPON THE ENTIRE OBSERVATIONS  
OF THE REPORTING EMPLOYEE!  
 SEE EXHIBIT (A)

HOWEVER ALL ABSURD REASONED ASSERTED  
 MOTIVATION CONSIDERED, THE ALLEGED  
 CO-BATTERY-ALLEGED BEHATED VICTIM  
 GRIFFIN WAS RELEASED FROM Ad-SEG  
 APPROXIMATELY THREE (3) WEEKS LATER  
 WAS PAROLED TO REGION THREE (3)!

ON AUGUST 2, 2006 WHILE CONFINED  
 IN Ad-SEG AT CALIPATRIA I WAS  
 ISSUED A CDC-115 FOR BATTERY ON  
ANIMATE WITH A WEAPON (CANE)

(See Exhibit B')

UPON BEING PROVIDED THE DISCIPLINARY REPORT BY C/O K. TEETERS. I WAS INFORMED THE ALLEGED OFFENSE WAS BEING REFERRED FOR POSSIBLE CRIMINAL PROSECUTION, THUS BEING LEAD TO BELIEVE I'D BEEN PROVIDED ALL RELEVANT DOCUMENTATION PERTAINING TO THE ALLEGED OFFENSE I POSTPONED THE DISCIPLINARY PROCEEDING PENDING THE OUTCOME OF THE DISTRICT ATTORNEY REFERRAL. HOWEVER WHAT C/O TEETERS RETALIATORILY REFUSED TO PROVIDE ME WAS THE INCIDENT REPORT!

HOWEVER ON NOVEMBER 16, 2006 WHILE HOSPITALIZED IN THE INFIRMARY AT CALIPATRIA C/O TEETERS PROVIDED THE BELATE INCIDENT REPORT AVER ALOD: "HAMILTON YOU'VE MISSED NOTHING BY ME NOT PROVIDING THE INCIDENT REPORT TO YOU LATE!"

ON JANUARY 22, 2007 I SUBMITTED DIRECTLY TO L.E. SCRIBNER, WARDEN (A) WHILE HOSPITALIZED IN THE INFIRMARY, WHERE I WAS BEING RETALIATORILY MAITREATED PREMISED UPON MY (ADA) STATUS AND NUMEROUS COMPLAINTS)

A COMPLAINT AGAINST THE REPORTING EMPLOYEE AND THE RATIFYING SERGEANT C/O M. VITELA, S. RIDGECRE, SGT. PURSUANT TO CALIF PENAL CODES 149, 118.1, 125, AND 832.5 OF WHICH WAS RETALIATORILY NOT ALLOWED BY ACTING WARDEN SCRIBNER, DOLEY, DIRECTOR

OF CORRECTIONS, NIGRANNIS, Chief I/M APPEARS, AND ACTING Chief I/M APPEARS S. EMIGLE (See EXHIBIT 'C' )!

ON February 2007 while HOSPITALIZED I WAS PROVIDED TO RETALIATORILY MOTIVATED ALLEGED DISTRICT ATTORNEY Referral DATED JANUARY 9, 2007, DA REJECTION DATED JANUARY 17, 2007 by The SECURITY AND INVESTIGATIONS UNIT BY MAIL!

ON February 7, 2007 while HOSPITALIZED in the INFIRMARY (being MAINTAINED) C/O K. TEETERS THE SUPPER OF THE INCIDENT REPORT CONFRONTED ME & ASSERTED HE'D BEEN ASSIGNED AS THE I.E. FOR THE PRISON DISCIPLINARY PROCEEDINGS!

HOWEVER HAVING NO CONFIDENCE IN HIS DISCIPLINARY EMPLOYMENT PRACTICES I OBJECTED TO HIS ALLEGED ASSIGNMENT THERE TO IN LOUD IRATE MANNER C/O TEETERS AVERED: "IF YOU DON'T WANT ME AS THE THAN YOU AIN'T GETTING NO DAMN badle!"

THUS C/O TEETERS THAN FAISIFIED (HIS) I.E. REPORT AVERING:

"ON Wednesday, February 7, 2007, I introduced myself to I/M HAMILTON T-330811 AS HAVING BEEN ASSIGNED AS HIS INVESTIGATIVE EMPLOYEE I.E., I/M HAMILTON EXPRESSED NO OBJECTIONS, AND ACKNOWLEDGED RECEIPT OF ALL REPORTS AND

100 documents PERTAINING TO THE CASE.

WITNESSES! I/M HAMILTON did not request witnesses to be interviewed for HAMILTON'S INVESTIGATIVE EMPLOYEE REPORT!!

I/M STATEMENT: ON FEBRUARY 7, 2007 THE INVESTIGATIVE EMPLOYEE INFORMED I/M HAMILTON THAT THE DISTRICT ATTORNEY'S OFFICE had rejected his CASE FOR BATTERY ON I/M WITH WEAPON (CANE). I/M HAMILTON became very UNCOOPERATIVE AND STATED TO ME "GET THE FUCK OUT OF HERE". I THEN INFORMED I/M HAMILTON THAT I HAD BEEN ASSIGNED AS HIS INVESTIGATIVE EMPLOYEE, AND ASKED TO HAVE A LIST OF WITNESSES AND QUESTIONS THAT HE WOULD LIKE TO ASK TO HELP HIM PREPARE FOR HIS HEARING. I/M HAMILTON THEN STATED "I DON'T HAVE ANYTHING TO SAY TO NOBODY! GET THE FUCK OUTTA HERE". I/M HAMILTON MADE IT VERY CLEAR THAT HE DID NOT WANT TO PARTICIPATE IN THE PROCESS.

STATEMENT OF I/M VICTIM ALLEGED GRIFFIN 11-9-11-71: THE INVESTIGATIVE EMPLOYEE INTERVIEWED I/M GRIFFIN AND ASKED IF HE HAD A STATEMENT OR ANYTHING TO ADD AND HE SAID "I HAVE NO STATEMENT NOTHING TO SAY".

# REPORTING EMPLOYEES STATEMENT:

" ON JULY 19, 2006 AT APPROXIMATELY 08:59 hours while performing my duties as security and investigations officer #8, I, along with S&I responded to a personal alarm in Housing Unit B5, as Lt. STRATTON and I were providing security I observed the I/M's assigned to cell B5-133 engaged in a cell fight. I immediately ordered the building down. Both I/M's continued to fight as I approached the cell I observed I/M HAMILTON T-33081, B5-133L STRIKING I/M GRIFFIN V-91171 B5-133L WITH A CANE TO THE UPPER TORSO AND FACIAL AREA. I observed I/M HAMILTON STRIKE GRIFFIN APPROXIMATELY 4 TO 5 TIMES. Once there was enough officers to provide security Lt. STRATTON ordered the cell to be opened. I ordered both I/M to get down with negative results, Lt. STRATTON and officer DUARTE SPRAYED THE I/M'S WITH ONE CONTINUOUS BURST UTILIZING THEIR STATE ISSUED MK-9 oleoresin capsicum. At this time both I/M's complied and got down in a prone position"

Requested witnesses: I/M HAMILTON did not request witnesses for the hearing: !

Reporting employee requested: I/M HAMILTON did not request that the reporting employee be present for the hearing

Investigative Employee Requested: I/M HAMILTON did not request that the investigative employee be present for the hearing"

(See Exhibit 'B')



Plaintiff on February 10, 2007 while confined in the infirmary at Calipatria Prison was summoned before R. Johnson, LT. who upon introduction inquired was Plaintiff ready to proceed with the disciplinary proceeding because he'd obtained Defendant Teeters Report averring Plaintiff was ready to proceed. Thereeto Plaintiff enlightened LT. Johnson: "No Plaintiff wasn't prepared to proceed with the proceedings because Plaintiff objected to Defendant Teeters alleged assignment as the i.e., Plaintiff further alleged the submission of the false i.e. report by Defendant Teeters alleging Plaintiff was prepared to proceed, because Plaintiff had no witnesses to be questioned."

Plaintiff thus submitted to LT. Johnson he had six (6) witnesses to be called and propounded questions to, thus LT. Johnson allowed the postponement of the proceedings allowing Plaintiff to submit questions to the forementioned six (6) witnesses. However LT. Johnson asserted: "He'd peruse the allowed questions to discern if he'd allow them to be propounded to the following witnesses"

1. The LATE MR. M. E. RUAN, LT.
2. MR. M. VITELA, REPORT EMPLOYEE
3. MR. L. STRATTON LT.
4. MR. R. DELGADO, ASSOCIATE WARDEN
5. I/M GRIFFIN V-91171
6. MR. E. HAMILTON T-33081

PLAINTIFF ON FEBRUARY 22, 2007 WHILE CONFINED IN THE INFIRMARY AT CALIPATIA PRISON ON SUICIDE WATCH WAS PROVIDED A FIVE CS PAGE I. E. REPORT PREPARED BY C/O LEE FROM THE WRITTEN QUESTIONS SUBMITTED TO LT. R. JOHNSON (SEE EXHIBIT 'E')

PLAINTIFF ON FEBRUARY 12, 2007 WHILE CONFINED IN THE INFIRMARY AT CALIPATIA PRISON SUBMITTED TO DEFENDANT SCRIBNER AN EMERGENCY COMPLAINT AGAINST DEFENDANT TESTERS PURSUANT TO PENAL CODES 118.1, 125, 147, 832.5 ALLEGING THE SUBMISSION OF A KNOWN FALSE REPORT, ALSO ATTACHED TO THE COMPLAINT PER CDC APPROPRIATE PROCEDURE WAS ALL SUPPORTING DOCUMENTATION.

DEFENDANT BELL ON FEBRUARY 26, 2007 ALERED IN A MEMORANDUM UPON RETURN OF THE COMPLAINT TO PLAINTIFF AT THE SATF (SEE EXHIBIT 'F')

- 11 A LIMIT OF ONE (1) CONTINUATION PAGE, FRONT AND BACK MAY BE ATTACHED TO THE APPEAL TO DESCRIBE THE PROBLEM AND ACTION REQUESTED IN SECTIONS A AND B OF THE CDC FORM 602, 3089.2 (A) (1). REMOVE UNNECESSARY DOCUMENTS AND RESUBMIT

WHILE THE APPELLATE MEMORANDUM WAS SENT TO PLAINTIFF AT SATF, PLAINTIFF DID NOT OBTAIN THE MAIL UNTIL LATE MARCH AT LANCASTER PRISON. THEREFORE IN OBEDIENCE TO THE MEMORANDUM PLAINTIFF REMOVED THE SUPPORTING DOCUMENTS WHICH CONSISTED OF THE ORIGINAL (12) PAGE OF QUESTIONS PROPOUNDED TO PLAINTIFFS SIX (6) WITNESSES.

PLAINTIFF ON MAY 16, 2007 AFTER HAVING BEEN PROVIDED INDIGENT ENVELOPES SUBMITTED ONE OF SAID ENVELOPES ADDRESSED TO DEFENDANT SCRIBNER CONTAINING THE DEFENDANT TEETERS COMPLAINT ADDRESSED AS CONFIDENTIAL ~~LEGAL~~ MAIL

PLAINTIFF ON MAY 25, 2007 SUBMITTED FOR FILING TO WARDEN HAWS A COMPLAINT AGAINST THE MAILROOM ALLEGING DENIAL OF PLAINTIFFS ACCESS TO THE COURTS BY OBSTRUCTING PLAINTIFF FROM EXHAUSTING ADMINISTRATIVE



Remedies, There to Defendant CAGAIWAN AT A JUNE 27, 2007 Interview denied He WAS ever responsible for sending ANY Confidential MAIL TO ANY Departmental body, Defendant CAGAIWAN'S decision WAS Ratified by Defendant DOTTAVIANO

Plaintiff ON JULY 8, 2007 Dissatisfied with Defendants CAGAIWAN AND DOTTAVIANO'S Willfully FALSE Assertions Requested A Second level Warden's Review Thus Plaintiff Avered: "The first level response taken by Defendants CAGAIWAN LIVES in the Theater of the Absurd because CDC HAS IT'S own inter prison MAIL SYSTEM AND Thus no Additional Postage would be incurred"

Defendant Curiel ON JULY 20, 2007 Avered in a memorandum intended to Abridge Plaintiff's Constitutional Rights:

"You've made inappropriate statements, although the choice of words selected in any of them selves are not profanity, they were used in a manner in which, makes the statement inappropriate. The statement was added to the appeal only to make a degrading comment about staff. (The statement was not necessary for the processing of the appeal) Remove the inappropriate statement and

The APPEAL will be screened based on ITS merits)

PLAINTIFF UPON PERUSAL OF DEFENDANT CURIEL'S JULY 20, 2007 MEMORANDUM IN A MOMENT OF APPEASMENT INKED OUT THE WORD "ABSURD". HOWEVER BECAUSE OF PLAINTIFF'S CURRENT AD-SEG STATUS ALL STAPLES ARE REMOVED FROM HIS MAIL, THUS WHEN PERUSING ANOTHER TWO(2) Abridgment. Memorandums Authored by DEFENDANT CURIEL DATED JUNE 25, 2007 AND JULY 5, 2007 PLAINTIFF INADVERTENTLY ADDED THE JULY 20, MEMORANDUM TO THE JUNE 25, 07, JULY 5, 07 MEMORANDUMS, THUS MR. CURIEL IN A RETALIATORY MOTIVATED ACT CANCELLED THE APPEAL WITHOUT COMMENT FROM PLAINTIFF. (SEE EXHIBIT '6')

PLAINTIFF SUBMITS DEFENDANT TETERS WILLFUL RETALIATORAIY MOTIVATED SUPPRESSION OF THE THIRTEEN (13) PAGE INCIDENT REPORT DIDN'T ADVANCE A LEGITIMATE PERBLOGICAL GOAL BUT WAS IMPOSED TO AND DID CULMINATE IN HARM WHERE PLAINTIFF HAS BEEN CONFINED IN AD-SEG THIRTEEN (13) MONTHS PREMISED UPON DEFENDANT TETERS ACTIONS.

Plaintiff Submits Defendants CAGAIWAN's Refusal To use The PRISON INTER PRISON MAIL SYSTEM To Send The COMPLAINT AGAINST Defendant Teeters back To Defendant Scribner, And Defendant DOTTAVIANO'S RATIFICATION OF SUCH WAS RETALIATORILY MOTIVATED, ThereTo Defendant curiel's CANCELLING The COMPLAINT WAS RETALIATORILY MOTIVATED, Where IT WAS PREMISED UPON The willful Abridgment of Plaintiffs FIRST, FIFTH, AND FOURTEENTH AMENDMENT CONSTITUTIONAL RIGHTS, ThereTo These Defendants curiel, CAGAIWAN, DOTTAVIANO, HALLS ACTIONS didn't ADVANCE A LEGITIMATE Penological Goal, BUT WAS IMPOSED To, AND did CAUSE PLAINTIFF HARM BY PROTRACTING PLAINTIFFS Ad-SEG CONFINEMENT, AND BY PROHIBITING PLAINTIFF FROM PROPER EXHAUSTION OF The COMPLAINT AGAINST Defendant Teeters.

Submitted:

## CAUSE OF ACTION

Plaintiff ON APRIL 25, 2007 WHILE IMPRISONED AT LANCASTER PRISON APPEARED AT A CDCR-115 HEARING BEFORE DEFENDANT BEITRAY WHO REDUCED THE DISCIPLINARY PROCEEDINGS TO A FARCE AND SHAM, BY RETALIATORILY IMPOSING A FINDING OF GUILTY IN REFUSING TO TENDER PLAINTIFF'S PLEA OF WITNESS'ES, THERE TO PLAINTIFF AT THE BEGINNING OF THE PROCEEDINGS WHEN ASKED TO ENTER A PLEA TO THE CHARGES AVERSED:

" MY PLEA AND STATEMENTS ARE CONTAINED IN THE I.E. REPORT "

THERE TO DEFENDANT BEITRAY RESPONDED " I HAVEN'T PERUSED THE I.E. REPORT AND HAVE NO INTENTIONS OF DOING SO, THUS BECAUSE YOU ARE REFUSING TO ENTER A PLEA I'M FINDING YOU GUILTY SO YOU CAN GET THE HELL OUT OF HERE "

THUS DEFENDANT BEITRAY WITHOUT PROVIDING PLAINTIFF A CONSTITUTIONALLY SOUND DISCIPLINARY HEARING FOUND PLAINTIFF RETALIATORILY GUILTY OF THE ALLEGED CHARGE, HOWEVER BECAUSE TIME CONSTRAINTS WERE NOT MET IN THE PROVIDING THE DISCIPLINARY HEARING NO TIME CREDITS COULD BE TAKEN (SEE EXHIBIT H)

ON THE RETALIATORILY ALLEGED CHARGE  
OF BATTERY ON AN INMATE WITH A  
WEAPON

PLAINTIFF PROPOUNDED THE FOLLOWING  
QUESTIONS TO THE LATE MR. M.E. RUAN  
CORRECTIONAL LIEUTENANT, THE PERSON  
CHARGED WITH ORDERING PLAINTIFF AND  
HIS CELLMATE CONFINED IN ADMINISTRATIVE  
SEGREGATION ON JULY 19, 2006 AT CALIPatria  
PRISON ALLEGEDLY FOR BATTERY UPON EACH  
OTHER

Q. LT. RUAN ON JULY 19, 2006 AT APPROXIMATELY  
8:59 A.M. WERE YOU PRESENT IN HOUSING  
UNIT B5 SIR?

Q. LT. RUAN did you observe AN ALLEGED  
BATTERY being COMMITTED UPON I/M  
HAMILTON T-33081 IN CELL B5-133 BY  
I/M GRIFFIN V-91124, or I/M HAMILTON  
COMMITTING SAID UPON I/M GRIFFIN?

Q. LT. RUAN IS THERE A difference between  
AN INMATE INVOLVED IN AN OFFENSE  
being CLASSIFIED AS THE VICTIM OR  
SUSPECT OF A Ad-SEGABLE offense?

Q. LT. RUAN PREMISED UPON WHO'S OBSERVATIONS  
WAS THE CDC-114D SEGREGATION ORDER  
YOU INITIATED CHARGING MR. HAMILTON  
AND MR. GRIFFIN WITH BATTERY UPON EACH  
OTHER did YOU CONFINE THESE INMATES  
IN Ad-SEG.



Q. LT. RUAN PURSUANT TO YOUR JULY 19, 2006 CDC-119D SEGREGATION ORDER YOU SEGREGATED I/M'S HAMILTON AND GRIFFIN FOR BATTERY UPON EACH OTHER WITH A WALKING CANE. HOW IS IT NOW POSSIBLE THAT ON AUGUST 2, 2006 I/M HAMILTON ALONE HAS BEEN CHARGED AND ISSUED A CDE-115 FOR BATTERY ON I/M GRIFFIN?

Q. LT. RUAN WHAT DID YOU ORDER I/M GRIFFIN SEGREGATED IN ADMINISTRATIVE SEGREGATION FOR SIR?

END OF QUESTIONS FOR THIS WITNESS.

NOTE: THE ASSIGNED I.E. AVERED: INMATE HAMILTON SUBMITTED QUESTIONS TO BE ASKED OF LT. M.E. RUAN, THE I.E. WAS UNABLE TO ASK QUESTION OF LT. RUAN HE IS DECEASED.

PLAINTIFF PROPOUNDED THE FOLLOWING QUESTIONS TO THE REPORTING EMPLOYEE OF THE CDC-115 DISCIPLINARY REPORT DEFENDANT VITELA:

(Q1) ON JULY 19, 2006 AT APPROXIMATELY 0:859 WHAT ALERTED YOUR ATTENTION TO CELL B5-133?

(A1) AS I WAS PROVIDING SECURITY TO INCIDENT LOG# CAI-FB5-06-07-023, I OBSERVED TWO INMATES IN CELL 133 STRIKING EACH OTHER

(Q2) CORRECTIONAL OFFICER VITELA WHO ALLEGEDLY MADE YOU COGNIZANT INMATE HAMILTON HAD BEEN HIT WITH HIS WALKINGCANE?

(A2) I OBSERVED INMATE HAMILTON STRIKING INMATE GRIFFIN WITH A CANE

(Q3) CORRECTIONAL OFFICER VITELA IF YOUR OBSERVATIONS CONCLUSIVELY AS ASSERTED IN YOUR CDC-115 DISCIPLINARY REPORT DEPICT I/M HAMILTON AS COMMITTING A BATTERY UPON I/M GRIFFIN WHY THEN PREMISED UPON YOUR INITIAL ACCOUNTS TO SEGREGATING LT. M.E. RUAN WHERE I/M HAMILTON AND GRIFFIN PLACED IN AD-SEG FOR BATTERY ON INMATE WITH A CANE WEAPON?

NOTE: LT. JOHNSON, WHO PRESCREENED ALL OF PLAINTIFFS PROPOSED QUESTIONS TO THE WITNESSES REFUSED TO ALLOW THE ABOVE QUESTION AS MANY OTHERS NOT TO BE ANSWERED.

(A3) QUESTION NOT ASKED. STAFF WILL NOT ANSWER FOR ANOTHER STAFF!

(Q4) CORRECTIONAL OFFICER VITELA SEGREGATING LT. M.E. RUAN DID N'T OBSERVE THIS ALLEGED BATTERY WITH YOU DID HE AT CELL B5-133?

(A4) QUESTION NOT ASKED. STAFF WILL NOT ANSWER FOR ANOTHER STAFF!

(Q5) CORRECTIONAL OFFICER VITELA UPON RESPONDING TO THE INITIAL PERSONAL ALARM IN HOUSEKEEPING UNIT B5 CONCERNING THE INTERRACIAL DAYROOM FIGHT BETWEEN JIM SMITH AND WILLIAMS HOW MANY INMATES WERE PRONED OUT ON THE GROUND?

(A5) QUESTION NOT ASKED. DOES NOT PERTAIN TO THIS R/R!

(Q6.) CORRECTIONAL OFFICER VITELA WHEN YOU ALLEGEDLY OBSERVED THE ALLEGED CELL FIGHT WHERE WERE YOU STATIONED IN REFERENCE TO CELL B5-133 AND CELL B5-148 WHERE THE DAYROOM FIGHT OCCURRED?

(A6) I WAS PROVIDING SECURITY (STANDING) IN FRONT OF THE 'C' LOWER SHOWER, FACING THE MAIN DAYROOM. I HAD A CLEAR ~~VIEW~~ OBSERVATION INTO CELL B5-133!

(Q7) CORRECTIONAL OFFICER VITELA HAVE YOU OR YOUR SECURITY UNIT INVESTIGATED TIM GRIFFIN V-911711 AS BEING THE VICTIM OR SUSPECT IN ANY OTHER ALLEGED INCIDENTS SINCE HIS ARRIVAL AT CALIFORNIA STATE PRISON?

(A7) QUESTION NOT ASKED. DOES NOT PERTAIN TO THIS RVR!

(Q8) CORRECTIONAL OFFICER VITELA WAS THE DIM LIGHT OPERATIONAL IN CELL B5-133 DURING THE ALLEGED BATTERY?

(A8) I DON'T KNOW!

(Q9) CORRECTIONAL OFFICER VITELA APPROXIMATELY HOW MANY CORRECTIONAL PERSONNEL RESPONDED TO THE INITIAL PERSONAL ALARM OF AN INTERRACIAL FIGHT AT BUILDING B5?

(A9) QUESTION NOT ASKED. DOES NOT PERTAIN TO THIS RVR!

(Q10) CORRECTIONAL OFFICER VITELA ARE YOU ~~PROVIDED~~ PROVIDED PER YOUR STATE ISSUED EQUIPMENT MK-9 OLECESIA CAPSICUM PEPPER SPRAY OR ANY OTHER PEPPER SPRAY?

(A10) QUESTION NOT ASKED. DOES NOT PERTAIN TO THIS RVR!

Q11) CORRECTIONAL OFFICER VITELA ARE THERE HOLES IN THE CELL DOORS THAT WOULD ALLOW YOU AT YOUR WELL TO UTILIZE YOUR PEPPER SPRAY TO CEASE A CELL FIGHT OR TO PREVENT SERIOUS INJURY TO ANOTHER?

(A11.) DOES NOT APPLY TO ME!

Q12.) CORRECTIONAL OFFICER VITELA AT ANY TIME DURING THE ALLEGED FIST FIGHT THAT YOU ALLOWED TO TURN AN ALLEGED BATTERY PER YOUR REPORT, DID YOU USE YOUR STATE ISSUED CAPSICUM PEPPER SPRAY TO CEASE THE CONFRONTATION FROM PROGRESSING?

(A12.) PLEASE CLARIFY THIS QUESTION

Q13.) CORRECTIONAL OFFICER VITELA IF YOU ANSWERED "NO" TO THE ABOVE QUESTION WHY NOT?

(A13.) DID NOT UNDERSTAND THE FIRST QUESTION!

Q14.) CORRECTIONAL OFFICER VITELA PER YOUR ALLEGED OBSERVATIONS OF I/M HAMILTON AND GRIFFIN INVOLVED IN A CELL FIGHT WERE BOTH INMATES ISSUED CDC-115 RULE VIOLATION ~~PER~~ BY YOU OR ANY OTHER PERSONAL FOR THE SAME?

(A14.) QUESTION NOT ANSWER DID NOT PERTAIN TO RVR!



(Q15) CORRECTIONAL OFFICER VITELA IF NO MADE YOU COGNIZANT I/M HAMILTON HAD BEEN ALLEGEDLY BATTERED WITH HIS WALKING CANE WHY DID YOU PRESENT THAT ALLEGATION TO LT. M.E. RUAN, FOR WHILE RUAN'S CDC-114D SEGREGATION OF INMATE HAMILTON WAS PREMISED?

(A15) I OBSERVED INMATE HAMILTON STRIKE INMATE GRIFFIN WITH A WALKING CANE!

(Q16) CORRECTIONAL OFFICER VITELA DID YOU AND LT. STRATTON ARRIVE AT CELL B5-133 AT THE SAME TIME?

(A16) YES!

(Q17) CORRECTIONAL OFFICER VITELA ISN'T IT TRUE PER YOUR REPORT THAT BOTH I/M'S WERE SPRAYED WITH OLEOCESIN CAPSICUM PEPPER SPRAY BEFORE OR DURING REMOVAL FROM THE CELL?

(A17) YES!

(Q18) CORRECTIONAL OFFICER VITELA WAS THE REAR CELL WINDOW COVERED DURING THE ALLEGED BATTERY THAT YOU'VE HEARD WITNESS TO?

(A18) YES!

(Q19) CORRECTIONAL OFFICER VITELA HOW MANY TIMES did INMATE GRIFFIN TELL YOU he WAS ALLEGEDLY STRUCK WITH THE ALLEGED CANE SIR?

(A19) INMATE GRIFFIN NEVER STATED TO ME HOW MANY TIMES he WAS STRUCK!

(Q20) CORRECTIONAL OFFICER VITELA WHAT PHYSICAL INJURIES did you OBSERVE INMATE HAMILTON TO HAVE SUSTAINED IN PER YOUR REPORT THE ALLEGED BATTERY ON INMATE GRIFFIN?

(A20) I don't know!

(Q21) CORRECTIONAL OFFICER VITELA WITHIN THE SCOPE OF YOUR EMPLOYMENT AND TRAINING IS IT NOT YOUR JOB TO PREVENT INJURY SERIOUS OR NOT TO ANY INMATE OR STAFF MEMBER?

(A21) DOES NOT PERTAIN TO RVR!

THIS CONCLUDES THESE QUESTIONS FOR THIS WITNESS.

Plaintiff Pro Pounded The following  
QUESTIONS TO WITNESS, LT. STRATTON.

(Q1.) ON JULY 19, 2006 AT APPROXIMATELY  
0:859 A.M. did you respond to a  
PERSONAL ALARM IN HOUSING UNIT  
B FIVE(5)?

(A1.) YES AT APPROXIMATELY 0900 HOURS I  
did respond to H.U. B5!

(Q2.) LIEUTENANT STRATTON FOR WHAT REASON  
did you INITIALLY respond to the  
PERSONAL ALARM in housing unit B5?

(A2.) DOES NOT PERTAIN TO THIS RVR!

(Q3.) LIEUTENANT STRATTON DURING THE  
Pendency of the TWO(2) different  
incidents in housing unit B5 were  
you the HIGHEST RANKING official  
on the scene?

(A3.) DOES NOT PERTAIN TO THIS RVR!

(Q4.) LIEUTENANT STRATTON WHAT PHYSICAL  
injuries did you observe INMATE HAMILTON  
TO HAVE SUSTAINED IN THE ALLEGED  
BATTERY ON INMATE GRIFFIN?

(A4.) NOT INITIALLY!

(Q5.) LIEUTENANT STRATTON did you file ANY SUPPLEMENTAL REPORTS CONCERNING YOUR ALLEGED OBSERVATIONS AS ATTRIBUTED TO YOU BY YOUR SUBORDINATE M. VITELA C/O OF THE ALLEGED INCIDENT BETWEEN INMATES HAMILTON T-33081 B5-133L AND GRIFFIN V-91171 B5-133U?

(A5.) DOES NOT PERTAIN TO RIR!  
I SUBMITTED MY WRITTEN REPORT WHICH CLEARLY DETAILS WHAT I OBSERVED.

(Q6.) LIEUTENANT STRATTON CONCERNING THE INCIDENT BETWEEN INMATES HAMILTON AND GRIFFIN AND YOUR OBSERVATIONS OF THE OCCURRENCE did you debrief your observation to LT. M.E. RUAN?

(A6.) DOES NOT PERTAIN TO RIR.

(Q7.) LIEUTENANT STRATTON PRIOR TO, DURING OR AFTER INMATES HAMILTON OR GRIFFIN WERE CONFINED IN AD-SEG did you interview either inmate?

(A7.) QUESTION NOT ANSWERED, NOT RELEVANT TO RIR.

(Q8.) LIEUTENANT STRATTON APPROXIMATELY  
HOW MANY CDC-119D SEGREGATION  
ORDERS HAVE INITIATED?

(A8.) NOT RELEVANT!

(Q9.) LIEUTENANT STRATTON did INMATE  
GRIFFIN TELL YOU HE'D BEEN STRUCK  
BY INMATE HAMILTON ALLEGEDLY WITH  
A CANE?

(A9.) DOES NOT PERTAIN TO RVR THIS  
QUESTION ANSWERED BY 837, REPORT  
SUBMITTED. REFER TO MY CDC-837C.

THIS CONCLUDES THESE QUESTION FOR  
THIS WITNESS.

PLAINTIFF PROPOUNDED THE FOLLOWING  
QUESTIONS TO WITNESS ALLEGED VICTIM  
11M GRIFFIN V-91171, C5-21115:

(Q1.) MR. GRIFFIN IS IT TRUE YOU REPORTED  
TO MEDICAL STAFF YOU'D BEEN STRUCK  
BY MR. HAMILTON ALLEGEDLY WITH A  
WALKING CANE?



(A1.) Before I could ask the question  
inmate Griffin stated:  
"I do not want to participate.  
I have nothing to say."

This concludes these questions  
for this witness.

The following statement was submitted  
to the hearing officer by the reporting  
employee:

I responded to a personal alarm  
in facility B Housing Unit #5, as  
I was providing security I observed  
the inmates assigned to cell B3 engaged  
in a cell fight. I immediately ordered  
the building down. Both inmates  
continued fighting. As I approached  
the cell, I observed inmate Hamilton  
strike inmate Griffin approximately  
4 to 5 times with a cane. Once there were  
enough staff to provide security, Lt.  
Stratton ordered the cell door to be opened.  
I ordered both inmates to get down  
with negative result. Lt. Stratton and  
officer Duarte sprayed the inmates with  
their MK-9, oleoresin capsicum sprays.

BOTH INMATES COMPLIED AND GOT DOWN INTO A PRONE POSITION. INMATE HAMILTON DID NOT SUBMIT A LIST OF WITNESSES TO BE PRESENT AT HIS HEARING.

THIS CONCLUDES THIS INVESTIGATIVE EMPLOYEES REPORT.

11M HAMILTON SUBMITTED QUESTIONS TO BE ASKED OF ASSOCIATE WARDEN R. DELGADO. NO QUESTIONS WERE ASKED OF R. DELGADO AS NOT PRESENT DURING THIS INCIDENT.

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Plaintiff provided the following  
 STATEMENTS TO LT. R. JOHNSON FOR USE  
 AT AN IN PRISON DISCIPLINARY PROCEEDING.

WITNESSES: INMATE HAMILTON REQUESTED  
 SEVERAL WITNESSES TO BE  
 INTERVIEWED FOR THIS I.E.  
 REPORT.

STATEMENT OF INMATE: HAMILTON

I DECARE THAT AT NO TIME DURING THE  
 ALLEGED BATTERY IN WHICH I'VE BEEN  
 RETALIATORILY CHARGED WITH DID I  
 STRIKE OR ATTEMPT TO STRIKE THE ALLEGED  
 VICTIM GRIFFIN WITH A WHIPPING CANE, AS  
 FALSELY REPORTED BY C/O M. VITELA.

Defendant HAMILTON further AVERS THE  
 CDC-114D SEGREGATION ORDER AUTHORED  
 BY THE LATE MR. M.E. RUAN LT. BAILES  
 THE REPORT FILED BY C/O M. VITELA  
 ALLEGING "He observed Defendant HAMILTON  
 STRIKING MR. GRIFFIN 4 TO 5 TIMES"

WHERE IN OPPOSITION THERE TO LT. RUAN'S  
 114D PREMISED UPON C/O VITELA'S  
 OBSERVATIONS PROMPTED HAMILTON'S AND  
 GRIFFIN'S AD-SEG PLACEMENT, PREMISED  
 UPON BATTERY ON ONE ANOTHER"

Defendant HAMILTON further AVERS C/O  
 M. VITELA'S RETALIATORILY FALSE DISCIPLINARY  
 FILING WAS PRIMARILY MOTIVATED BY MR.  
 HAMILTON'S FILING OF A CITIZEN'S COMPLAINT

AGAINST L. ROBLES MTA DATED JULY 13, 2006 LOG NO# CAI-B06-01955, C/O VIELA'S RETALIATORY DISCIPLINARY Filing WAS KNOWINGLY RATIFIED BY M.E. RUAN, LT., G. J. JANDA, AW-CDW(OA), T. OCHOA, ACDW(OA), L.E. SCRIBNER, S. RIDLEDGE, SGT, G.Z. HERNANDEZ, LT.

Defendant HAMILTON further avers he's been RETALIATORILY denied CONSTITUTIONAL Due process in the denial of the TESTIMONY OF MATERIAL WITNESS the LATE M.E. RUAN, LT. Thereto the Adduced evidence DEPICTS ON AUGUST 3, 2006, the SECURITY & INVESTIGATIONS UNIT received AN INCIDENT REPORT LOG NO# CAI-FB5-06-07-0239. However the report WASN'T PRESENTED TO the DISTRICT ATTORNEY'S OFFICE for POSSIBLE CRIMINAL PROSECUTION UNTIL JANUARY 9, 2007, where A DA. REJECTION WAS ISSUED.

THIS CONCLUDES STATEMENTS FROM THIS Defendant.

DATED: February 12, 2007

RESPECTFULLY  
E. Hamilton

Defendant Hamilton further avers had he been allowed to participate in the disciplinary proceeding before Defendant Beltray Defendant Hamilton would have testified:

I Eugene Hamilton T-33081, would have requested the late MR. M. E. RUAN, ET AS A witness in the forementioned disciplinary proceedings, to testify upon whos observation and disciplinary reports, did he rely upon in ordering VIM'S HAMILTON, AND GRIFFIN, confined in administrative segregation (ad-seg)?

I, further would have testified there are approximately 1000 round holes that make up the cell doors at CALIPATRIA PRISON, and at any time C/O DEFENDANTS, VITELA, RIDLEDGE, or any officer they wanted to cease the alleged battery from being committed in the case AT BAN or any other case, CUSTODY ISN'T precluded from utilizing the STATE ISSUED PEPPER SPRAY their issued to cease ANY SITUATION!



I, further TESTIFY DURING THE ALLEGED ALTERCATION THAT DEFENDANTS VITELA, RIDGE, ALLOWED IN TURN INTO THE ALLEGED BATTERY THE REAR CELL WINDOW WAS COVERED, THE LIGHTS WERE OFF, AND THE DIM LIGHT WAS NOT OPERATIONAL.

THIS CONCLUDES THE ADDITIONAL TESTIMONY OF MR. E. HAMILTON T-33081.

DATED: APRIL 25, 2007. RESPECTFULLY SUBMITTED:

E. Hamilton  
EUGENE HAMILTON

MS. CRUZ, AS MENTIONED TO YOU IN MY AUGUST 26, 2007 MEMORANDUM (SEE EXHIBIT I) I THERE TO ENLIGHTENED YOU ON JUNE 28, 2007 I APPEARED BEFORE YOUR SUPERIOR D. FALLON, ACTING CHIEF DEPUTY WARDEN, FORTSON, FACILITY CAPTAIN, V. POWERS ETC., AT A HASTY CONVENED I.C.C. NOT TO ADJUDICATE LT. BEITRAYS SHAM DISPOSITION, IMPOSE A SECURITY HOUSING UNIT HEREIN AFTER SHU TERM CULMINATING FROM LT. BEITRAYS FINDING?

NO I WAS SUMMONED TO THE I.C.C. ALLEGEDLY PREMISED UPON P. FINANDER, M.D. APRIL 4th 2007 1845 (ADA) FILING TO RECOMMEND TO THE CLASSIFICATION STAFF REPRESENTATIVE (HEREIN AFTER CSR) THAT I BE TRANSFERRED IMMEDIATELY TO THE SUBSTANCE ABUSE TREATMENT FACILITY (HEREIN AFTER SATF MEDICAL 11) (SEE EXHIBITS 'J' )

MS. CRUZ, ABSURD AS IT MY SOUND, SOME TIME AFTER THE ABOVE MENTIONED I.C.C. I BEGAN TO POSE TO THE MEDICAL DOCTORS WHAT WAS THE PROBLEM WITH MY MEDICAL TRANSFER, AS POSED TO YOU IN THE ABOVE MENTIONED MEMORANDUM,

However the ONLY RESPONSE READILY  
 AVailed TO ME WAS BECAUSE OF MY Ad-SEG  
 STATUS! I

MS CRUZ, MR. NOIAN

ON MARCH 7, 2007 AFTER HAVING BEEN  
 PLACED IN THE MENTAL HEALTH PROGRAM  
 AT THE (CCCMS) level of care, I WAS  
 TRANSFERRED FROM SATF CRISIS Bed AND  
 SENT TO THE (CCCMS) PROGRAM AT  
 LANCASTER PRISON, WHERE I WAS TRANS-  
 PORTED IN A SPECIAL WHEELCHAIR VAN,  
 I WAS FURTHER TRANSFERRED TO LANCASTER  
 PREMISED UPON THE DEPICTION OF

MY RETALIATORILY WONTON SUBJECTION  
 OF DELIBERATE INDIFFERENCE TO PAIN  
 AND SUFFERING, AS DISCERNED BY THE  
 ASTUTE MEDICAL STAFF AT SATF,  
 WHO DISCERNED THAT I MIGHT OBTAIN  
 MEDICAL TREATMENT FOR WHAT HAD  
 BEEN DEPICTED PER THE NOVEMBER 8,  
 2006 MRI AS "FACET JOINT DISORDER,  
HERIATED BULGING DISK, AND AN ANULAR  
TEAR OR CRACKED DISK" (SEE EXHIBIT 'K')

UPON RECEIPT AT LANCASTER PRISON  
I WAS MET IN RECEIVING AND RELEASE  
(HEREIN AFTER R&R) BY A MALE NURSE  
BY A MALE NURSE WHO UPON BEING MADE  
COGNIZANT OF MY INABILITY TO AMBULATE  
WITHOUT MEDICAL DEVICES, HAD ME TAKEN  
TO CENTRAL HEALTH, ALLEGEDLY SO I COULD  
BE MEDICALLY ASSESSED BY A MEDICAL  
DOCTOR, THERETO WHILE IN EXCRUATING  
SPINAL AND LOWER BACK PAIN, DUE IN  
LARGE PART T.O. THE EIGHT (8) HOUR  
VAN RIDE, I WAS APPROACHED WHILE IN  
HOLD TANK TWO (2) BY A FEMALE NURSE  
IN RESPONSE TO MY REQUEST FOR PAIN  
MEDICATION, THERETO THE NURSE LEFT AND  
RETURNED SHORTLY AND ATTEMPTED TO PROVIDE  
ME TWO (2) TYLENOL'S, THERETO I ENLIGHTENED  
THE NURSE THE TYLENOL DIDN'T PROVIDE ANY  
RELIEF, THUS THE TYLENOL WASN'T PROVIDED,  
WHEN THE NURSE RETURNED AGAIN SHE  
ADVISED ME, THE DOCTOR HAD CLEARED ME  
TO BE HOUSED! UNBEKNOWN TO ME IN  
AD-SEG!

UPON NOT HAVING BEEN PHYSICALLY ASSESSED BY DR MOSTAFANIA, I WAS SEEN IN HOLDING TANK TWO (2) BY MEDICAL TECHNICAL ASSISTANT (HEREINAFTER MTA) MIRALITI WHO ENTERED THE TANK WITH LT. R. MIRA. THERE TO DESPITE MY ENLIGHTENING MTA MIRALITI I COULD N'T AMBULATE CLEARED ME PER MEDICAL PROCEDURE BY AUTHORIZING A CDCR FORM 7219 FOR HOLDING YET AGAIN UNBEKNOWN TO ME DESPITE LT. MIRA'S PRESENCE IN AD-SEG!

THUS LT. MIRA UPON THE COMPLETION OF THE 7219 PROCEDURE ABRUPTLY AVE: "I'VE FOUND YOU A CELL IN AD-SEG!"

THERE TO IN VAIN I ATTEMPTED TO MAKE LT MIRA COGNIZANT I'D BEEN HOUSED IN THE INFIRMARY SINCE NOVEMBER 6, 2006 AT CALIPATRIA PRISON, IN CONJUNCTION WITH MAKING HIM COGNIZANT OF A JANUARY 5, 2007 CHRONO ISSUED BY SGT M. HUNT AT CALIPATRIA, AS WELL AS THE ACCOMMODATION CHRONO PRESCRIBING A MEDICAL WALKER. HOWEVER DESPITE THIS CLEAR CORPUS OF EVIDENCE LT. MIRA, RETALIATORILY ORDERED ME HOUSED IN AD-SEG! (SEE EXHIBIT 'L')



ON MARCH 9, 2007 while confined in Ad-SEG I should have been provided a constitutionally mandated CDCR 114D Segregation Hearing by C. Fortson, custody captain, however C/O PALACIOS retaliatorily informed Fortson I didn't wish to participate, however when C/O PALACIOS appeared at my Ad-SEG cell and inquired if I'd desired to participate in the proceedings, I responded:

"Yes but I'd need use of the wheelchair PALACIOS used to wheel me to Ad-SEG from the central health in"

There to C/O PALACIOS responded:

"You don't need a wheelchair because you don't have a wheelchair!"

Thus months later upon receipt of the CDC-114D completed form it alleged I refused to participate! (See Exhibit '2')

From March 7, thru 13, 2007 while confined in Ad-SEG unable to ambulate to the door I was denied meals by the entire Ad-SEG staff!

ON MAY 7, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AT LANCASTER I SUBMITTED A COMPLAINT PURSUANT TO CALIF PENAL CODES 147 AND 832.5 TO AN INDIVIDUAL NAME (SULLIVAN BELIEVE TO BE THE ACTING WARDEN) HOWEVER THE NAME OF THE ACTUAL ACTING WARDEN IS F. B. HAWES, AGAINST LT. MIRACIO PALACIOS, C. FORTSON, CAPT.

ON JUNE 28, 2007 HAVING NOT OBTAINED NOTICE OF THE FILING OF THE COMPLAINT AGAINST MIRACIO PALACIOS, FORTSON, I SERVED UPON MR. HAWES, ACTING WARDEN(A) A MEMORANDUM IMPLORING HIM TO MANDATE HIS SUBORDINATE SULLIVAN TO PRODUCE THE MAY 7, 2007 COMPLAINT. (SEE EXHIBIT 'M')

ON JULY 9, 2007 I AGAIN SUBMITTED A COMPLAINT TO ACTING WARDEN HAWES AGAINST LT. R. MIRACIO PALACIOS, CAPT. C. FORTSON ALLEGING "THE RETALIATORILY: ON TOP SUBJECTION OF ME TO DELIBERATE INDIFFERENCE TO PAIN AND SUFFERING, THE DEPRIVATION OF A SOUND CDCR-119D HEARING, DENIAL OF FOOD, AND UNSANITARY LIVING CONDITIONS"

APPEALS COORDINATOR J. CARRIELI BY AN AUGUST 2, 2007 SCREENING FORM REFUSED TO FILE THE COMPLAINT RETALIATORILY AVERING: "I COULDN'T FILE A CDCR-602 FORMED COMPLAINT AGAINST

R. MIRA, PALACIOS, Fordson, because an (ADA) COMPLAINT I FILED AGAINST THESE SAME PEOPLE LIES CURRENTLY UNDER REVIEW (SEE EXHIBIT 'N' )

ON AUGUST 2, 2007 J. CURIEL, APPEALS COORDINATOR FILED AND PROCESSED AN CDCR FORM 1824 AGAINST LT. MIRA, PALACIOS & ALLEGING WILLFUL RETALIATORILY MOTIVATED US ONTO DELIBERATE INDIFFERENCE TO MY PAIN AND SUFFERING. THERETO A U.S. DANNA, SGT, ON OR ABOUT THE MONTH OF AUGUST INTERVIEWED ME IN RELATION TO MY ADA ALLEGATIONS, AT THIS INTERVIEW I PROVIDED DANNA COPIES OF MY APRIL 14, 2007 CDCR 1824 FROM IRONWOOD STATE PRISON, A FEBRUARY 9, 2007 COMPREHENSIVE ACCOMMODATION CHRONO FROM CALIPATRIA PRISON AUTHORED BY K. BAIL CHIEF PHYSICIAN AND SURGEON, THE JANUARY 5, 2007 CHRONO AUTHORED BY M. HUNT AD-SEG SGT. THE (ADA) COMPLAINT NOT DEPICTED A COMPLETION DUE DATE OF AUGUST 23, 2007 (SEE EXHIBIT 'O' )

ON MARCH 10, 2007 WHILE CONFINED IN Ad-SEG AT LANCASTER PRISON<sup>F</sup> WAS SUBJECTED TO A RACIALLY MOTIVATED RETALIATORY ASSAULT AND BATTERY BY C/O. J. MORELLI, K. MOENING WHO, WHEN I WAS ABLE TO REACH THE TOILET AND USE IT, IT BEGAN TO OVERFLOW CAUSING A MINUTE FLOOD. THERE TO MORELLI AND MOENING APPROACHED THE CHASE TURNED OFF THE ENTIRE WATER SUPPLY WHERE C/O MOENING WITHOUT PROVOCATION OR WARNING, OPENED THE TRAY SLOT AND USED HIS STATE ISSUED PEPPER SPRAY TO SPRAY ME WHILE SITTING AT THE END OF THE BUNK BED WITH ONE CONTINUOUS BURST OF PEPPER SPRAY ABOUT THE FACE AND UPPER BODY. C/O MOENING THEN JOINED BY MORELLI TOLD MORELLI TO ACTIVATE HIS PERSONAL ALARM. THERE TO UPON THE ARRIVAL OF RESPONDING STAFF K. THOMAS, Ad-SEG SGT BEGAN TO CONSPIRE IN THE FILING OF FABRICATED USE OF FORCE, DISCIPLINARY REPORTS AND DISTRICT ATTORNEY PROSECUTION REFERRALS ALLEGING, I WHO COULDN'T AMBULATE TO THE TOILET THREW SOMETHING FROM THE CELL WHICH IS COVERED BY PLEXIGLASS UPON C/O MOENING!!!

SGT. THOMAS who'd been made COGNIZANT I COULDN'T AMBULATE WITHOUT MEDICAL ASSISTANCE IN THE OBTAINING OF MEALS, SHOWERS, MEDICATIONS AGAIN CAME TO THE CELL WHERE HE OBSERVED ME LYING ON THE FLOOR FACE UP COVERED BY DEFECATION AND URINE, ORDERED ME, IN EXCRUCIATING PAIN TO CRAWL TO THE TRAY SLOT AND BE PLACED IN HANDCUFFS! THERE TO I AGAIN EXPLAINED TO SGT THOMAS I COULDN'T AMBULATE WITHOUT THE AID OF MEDICAL DEVICES, I IN VAIN ATTEMPTED TO ENLIGHTEN THOMAS I'D BEEN WHEELED TO THE CELL BED BY C/O PALACIOS FROM THE INFIRMARY ON MARCH 7, 2007, THUS MY MEALS FALLING ON RETALIATORILY MOTIVATED DEAF EARS I, WAS LEFT IN THE CONTAMINATED CELL APPROXIMATELY THREE (3) HOURS, UNTIL NURSE "AMOST" APPROACHED THE CELL AND OBSERVED ME IN SUCH CONDITION!, THERE TO NURSE AMOST SUMMONED THE EMERGENCY HEALTH CENTER NURSE SOLIZ, WHO UPON OBSERVING ME IN EXCRUCIATING PAIN ORDERED I, BE CLEARED UP AND IMMEDIATELY BROUGHT TO CENTRAL HEALTH, ONCE AT CENTRAL



LYING ON A STRATCHER IN THE EMERGENCY ROOM I WAS ASSESSED BY? THE DR. MOSTAFANIA WHO AVERED:

11 OH I REMEMBER YOUR CASE YOU'RE THE PERSON I PROVIDED THE MEDICAL LAY-IN ON MARCH 7, 2007 (SEE EXHIBIT 'P')

I INITIATED THE CONVERSATION WITH DR. MOSTAFANIA BY ENLIGHTENING HIM. THE ALLEGED MEDICAL LAY-IN HE AUTHORED WAS VOID WHERE I WAS CONFINED IN AD-SEG BECAUSE I WOULDN'T BE ACCOMODATED IN THE CUSTODY STAFF IN A SECURITY HOUSING UNIT'S OPENING THE DOOR TO FEED, OR MAKE ME!

I FURTHER AVERED TO DR. MOSTAFANIA HAD HE PHYSICALLY ASSESSED ME ON MARCH 7, 2007 HE WOULD HAVE KNOWN I, COULDN'T AMBULATE! THUS I EXPLAINED TO DR. MOSTAFANIA I WAS IN EXCRUCIATING PAIN OF THE SPINE LOWER BACK. THERE TO DR. MOSTAFANIA PRESCRIBED A SHOT OF MORPHINE, AND DISCHARGED ME BACK TO AD-SEG! THUS I INQUIRED OF NURSE SOLIZ WHO ADMINISTRED THE MORPHINE:

11 WHY WAS I BEING RETURNED TO A CELL WHERE SOLIZ AND MOSTAFANIA WERE AWARE I CAN'T AMBULATE!!

ThereTo Nurse Soliz Responded:

"I I KNOW FOR A FACT THERE'S  
NO ROOM OPEN IN THE INFIRMARY!"  
(See EXHIBIT 'P')

ThereTo IT BEING AGAIN AS AT CALIPATRIA  
I Told nurse Soliz I'd like to SPEAK TO  
DR. Khoury, PSYCHIATRIST who WAS IN THE NEXT  
Room, because if The medical Department  
WASN'T GOING TO PROVIDE ADEQUATE MEDICAL  
ATTENTION I WAS GOING TO COMMIT  
SUICIDE. However, DR. Khoury FLAT OUT Refused  
TO SPEAK TO ME. Thus C/O PALACIOS, SGT. THOMAS  
AND TWO (2) C/O's REMOVED ME FROM THE EMERGENCY  
Room TABLE loaded me in a wheelchair and  
PALACIOS AGAIN wheeled me a third 3rd of a  
mile TO THE Ad-SEG UNIT AND THE SAME  
CONTAMINATED cell (See EXHIBIT 'S')

ON MARCH 13, 2007 WHILE CONFINED IN THE  
CONTAMINATED Ad-SEG cell unable to AMBULATE  
AND IN DABILIITATING SPINAL AND LOWER BACK PAIN  
I WAS DISCOVERED IN SUCH POSITION DURING A  
BUILDING SEARCH LYING ON THE CONTAMINATED  
URINE STAINED MATTRESS, thus once removed  
from the cell by the SECURITY SQUAD AND  
EXAMINED by nurse TAYLOR, LT. HARTLEY  
ORDERED I be TAKEN by AMBULANCE TO  
CENTRAL HEALTH, where I WAS EXAMINED  
by DR. J. FITTER, AND ADMITTED TO THE  
INFIRMARY OF CTCC (CORRECTIONAL TREATMENT CENTER)

UPON BEING ADMITTED I WAS PRESCRIBED ELAVIL, ROBAXIN, NAPROXEN, PRIMOSAL, DR. FITTER ALSO ORDERED PHYSICAL THERAPY, AND THAT I BE TRANSFERRED IMMEDIATELY TO AN ACUTE CARE MEDICAL FACILITY FOR LONG TERM TREATMENT AND HOUSING.  
(SEE EXHIBIT 'T' & "U")

ON APRIL 26, 2007 WHILE HOSPITALIZED IN THE CTC I SUBMITTED FOR FILING TO A PERSON NAME SULLIVAN WARDEN A COMPLAINT PURSUANT TO CALIF PENAL CODES 197 AND 832.5 AGAINST LT. MIRA, MORELI, MOENING, SGT K. THOMAS, A. KHOURY, DR. MOSTAFANIA, MTA MIRALTI, ALLEGING:

1. RETALIATORILY MOTIVATED WONTON DELIBERATE INDIFFERENCE TO PAIN AND SUFFERING,
- RETALIATORILY MOTIVATED RACIAL ASSAULT & BATTERY, EXCESSIVE USE OF FORCE AND UNSANITARY LIVING CONDITIONS"

THE COMPLAINT WAS ASSIGNED TO DOUGLAS A. L. FORTSON, CAPT, HARTLEY, AND DENIED. . . . I WAS & DENIED THEREFO I APPEALED TO DIRECTOR TIPTON WHO CAUSED THE COMPLAINT TO BE ASSIGNED TO GRANNIS, WHO ASSIGNED S. WRIGHT WHO RETALIATORILY DENIED THE COMPLAINT WHILE ACTING ON BEHALF OF GRANNIS, AND TIPTON. (SEE EXHIBIT 'V' )

ON JUNE 7, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AT LANCASTER PRISON I APPEARED BEFORE, DOWNS, ACTING CHIEF DEPUTY WARDEN, AND V. POWERS, ET AL, AT AN I.C.C. (INSTITUTIONAL CLASSIFICATION COMMITTEE) ALLEGEDLY FOR ADJUDICATION OR ASSESSMENT OF A POSSIBLE SHU TERM PREMISED UPON THE RETALIATORILY IMPOSITION OF GUILT IMPOSED BY LT. BEITRAY OF APRIL 25, 2007, ON THE CDC-115 AUTHORED BY C/O M. MITELA, ALLEGING: "BATTERY ON AN INMATE WITH A CANE WEAPON"

PRIOR TO DOWNS, POWERS ENTERING TO INFIRMARY ROOM POWERS AVERED TO DOWNS:

"SINCE WE DON'T HAVE THE CDC-115 HAMILTON WAS FOUND GUILTY OF TO ASSESS A SHU TERM WE'LL ISSUE HIM ANOTHER CDC-115D ORDER PREMISED UPON THE BATTERY IN THE RACIALLY MOTIVATED ATTACK OF MARCH 10, 2007"

THUS POWERS AND DOWNS IN RETALIATION FOR MY APRIL 26, 2007 COMPLAINT AGAINST MITRA, MOENING ETC, AS WELL AS MY MAY 16, 2007 COMPLAINT AGAINST POWERS, "USED THE PRETEXT OF THE JUNE 7, 07 APPEARANCE TO PROTRACT MY AD-SEG CONFINEMENT TO ALLOW THE ANTAJOPE VALLEY DISTRICT ATTORNEY TO FILE A RETALIATORILY MOTIVATED RACIALLY BLATANT CHARGE AGAINST ME" WHERE POWERS AND DOWNS KNEW BEFORE EXITING THEIR OFFICES THEY DIDN'T POSSESS

LT. BELTRAYS DISPOSITION TO MODIFY, AFFIRM or REVERSE SUCH DISPOSITION, WHILE ALL ALONE Referring MY CASE TO THE CSR, PREMISED UPON THE INCOMPLETION OF THE DISCIPLINARY PROCESS. (See EXHIBITS "H" )

ON JUNE 28, 2007 AT A SUBSEQUENT I.C.C. CHAired BY D. FALLON, POWERS AVERED:

"HAMILTON WAS TO HAVE BEEN ASSESSED A FOURTEEN (14) MONTH AGGRAVATED SHU TERM"

NOTE: "THE MEDIUM EARLY RELEASE DATE (HEREIN AFTER MERD") WOULD HAVE BEEN TEN (10) MONTHS AND FIFTEEN (15) DAYS OF JUNE 6, 2007."

NOTE: THIS IS THE I.C.C. WHICH ALLEGEDLY REFERRED MY CASE TO THE CSR FOR THE SATF AT CORCORAN CALIF!

ON JULY 3RD, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AT LANCASTER I WAS ISSUED A NEW CDCR-114D SEGREGATION ORDER AUTHORED BY LT. J.P. MIDDLETON, PREMISED UPON THE RETALIATORILY MOTIVATED IMPOSITION OF GUILT IMPOSED BY LT. BELTRAY ALLEGING "BATTERY UPON AN INMATE WITH A (CANED WEAPON"

(See EXHIBIT "W")



NOTE: CONSTITUTIONALLY IF LT. BEITRAIS RETALIATORILY MOTIVATED DISPOSITION HAD N'T BEEN AFFIRMED, MODIFIED, OR REVERSED, OR RESULTED IN THE IMPOSITION OF AN ACTIVE OR SUSPENDED SHU TERM, TRIGGERING MY TRANSFER TO ANOTHER CCCMS, ADA MEDICAL FACILITY, WHAT WAS MY STATUS FROM JUNE 28, 2007, UNTIL JULY 3, 2007 WHEN THE NEW CDCR 119D SEGREGATION ORDER WAS?!

NOTE: FACT:

IF I WERE CONFINED IN AD-SEG AND AFFORDED A CONSTITUTIONAL SOUND DISCIPLINARY PROCEEDING, ASSESSED AN ACTIVE OR SUSPENDED SHU TERM, I, WOULD HAVE TRANSFERRED FROM AD-SEG MAXIMUM CUSTODY, TRANSFERRED TO ANOTHER CCCMS MENTAL HEALTH, ADA MEDICAL FACILITY, UNTIL PROVIDED ANOTHER I.C.C. OR U.C.C. APPEARANCE, WHERE MY CUSTODY AND WORK GROUP PRIVILEGE GROUP WOULD HAVE BEEN ESTABLISHED AT MED-A CUSTODY, A2B, OR NEWLY ARRIVED, UNASSIGNED!

ON JULY 5, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AT LANCASTER PRISON R.J. DOTTAVIANO, CUSTODY CAPTAIN, APPEARED AT MY DOOR ALLEGEDLY TO CONDUCT A CDCR-114D SEGREGATION ORDER HEARING TO ALLEGEDLY DETERMINE IF I'D BE RELEASED TO THE GENERAL POPULATION, OR RETAINED IN AD-SEG PENDING TRANSFER TO SATF MEDICAL FACILITY!, THERE TO CAPTAIN DOTTAVIANO BEGAN THE RHETORIC BY INQUIRING IF I HAD ANY REASONS TO PROPOUND TO HIM WHY I SHOULD BE RELEASED TO THE GENERAL PRISON POPULATION PENDING TRANSFER TO CORCORAN CALIF! HOWEVER WHEN **I** BEGAN TO OFFER MY EXPLANATION, DOTTAVIANO REMOVED HIS FACE AND ATTENTION FROM THE TRAY SLOT AND AVERTED TO THE C/O STANDING WITH HIM IN A LOUD VOICE!:"HAMILTON'S GOING TO BE RETAINED IN AD-SEG PENDING TRANSFER BECAUSE, ALL OF LANCASTER'S HOUSING UNITS HAVE GONE RECEPTION CENTERS, AND BECAUSE HE'S ELIGIBLE FOR A 180 DESIGN INSTITUTION"

CAPTAIN DOTTAVIANO FURTHER FALSIFIED THE ADMINISTRATIVE REVIEW (PART B) OF THE SEGREGATION ORDER **BY** DECLARING, I'AM ENTITLED TO A C STAFF ASSISTANT HERE IN AFTER SA) AND THAT I WAS ASSIGNED MY PRESENT (CORRECTIONAL COUNSELOR II HEREIN AFTER CC1)

To help me Present my AVEmentS to(him) DOTTAVIANO, However the CCI WAS ASSIGNED in name only, for I never SAW the CCI TO PROPOUND QUESTIONS TO DOTTAVIANO About my illegal Ad-SEG Confinement!

DOTTAVIANO further RETALIATORILY knowingly falsified his Administrative review by denoting on the Hearing form:

Evidence collection by I.E. unnecessary: ☒ YES ☐ NO  
 Declined ANY INVESTIGATIVE EMPLOYEE: ☒ YES ☐ NO

ASU Placement IS for disciplinary Reason: ☒ YES ☐ NO

Declined 1ST INVESTIGATIVE EMPLOYEE ASSIGNED ☒ YES ☐ NO

☒ NOT ASSIGNED

ANY NO MAY REQUIRE I.E. ASSIGN

CAPTAIN, DOTTAVIANO further KNOWINGLY falsified his Administrative review by denoting on the Hearing form:

I, WAIVED MY RIGHTS TO 72 HOUR PREPARATION TIME, AND REQUESTED NO WITNESSES AT THE HEARING, THIS AFTER THE PSEUDO HEARING I WAS RETALIATORILY ORDERED RETAINED in Ad-SEG (See Exhibit "W")

ON November 12, 2006 I SUBMITTED TO ACTING WARDEN HALLS A COMPLAINT PURSUANT TO PENAL CODES 147, 118.1, 125, AND 832.5 AGAINST J. P. MIDDLETON, LT; R. J. DOTTAVIANO (CUSTODY CAPTAIN), ALLEGING THE SUBMISSION OF KNOWINGLY FALSE REPORTS. (See Exhibit X)

ON JUNE 7, 2007 WHILE HOSPITALIZED IN THE INFIRMARY I SUBMITTED A COMPLAINT PURSUANT TO CALIF PENAL CODES 197, 832.5 TO AN INDIVIDUAL NAME SULLIVAN WARDEN, AGAINST W. POWERS CCI, DOWNS, ACTING CHIEF DEPUTY WARDEN, ALLEGING: A RETALIATORY NEXUS FOR THE JUNE 7, 2007 I.C.C. WHICH PROTRACTED MY AD-SEC CONFINEMENT;

THERETO J. CURIEL THE APPEALS COORDINATOR INITIALLY FILED THE COMPLAINT ISSUED A LOG NOFF AND CLASSIFIED THE COMPLAINT AS A CUSTODY CLASSIFICATION ISSUE AND ASSIGNED THE COMPLAINT-APPEAL TO MR. DOWNS, ASSOCIATE WARDEN A/B FACILITY'S, FOR REVIEW.

J. CURIEL, APPEALS COORDINATION ON JUNE 25, 2007 IN A BLATANT RETALIATORILY MOTIVATED ACTION RETURNED THE ALREADY FILED COMPLAINT WITH A SCREENING FORM ATTACHED AVERING:

- II THIS APPEAL CONSTITUTES AN ABUSE OF THE APPEAL PROCESS PURSUANT TO CCR TITLE 15.3089.4 BUT APPEAL CANNOT BE UNDERSTOOD OR IS OBSCURED BY POINTLESS VERBIAGE OR VOLUMINOUS UNRELATED DOCUMENTATION CCR 3089(C) II
- II THIS APPEAL HAS BEEN FORWARDED TO THE HIRING AUTHORITY AND IT HAS BEEN DETERMINED THIS APPEAL DOES NOT MEET THE REQUIREMENT TO BE ASSIGNED AS A STAFF COMPLAINT. YOU HAVE ADDED UNNECESSARY VERBIAGE, CORRECT THE VERBIAGE AND SIMPLIFY THE REQUEST NOT TO INCLUDE STAFF COMPLAINT AND THE APPEAL WILL BE PROCESSED

even though I knew my First Amendment CONSTITUTION RIGHTS were being violated by CURIEL AND HALS, in a moment of appeasement I reduced the contentions from 42 to 17 PARAGRAPHS. However I retained the ALLEGMENT CC11 VI POWERS AND DOWNS JUNE 7, 2007 CLASSIFICATION ACTION WAS RETALIATORILY MOTIVATED!

J. CURIEL, ON JULY 5, 2007 STILL IN RETALIATORY mode AGAIN RETURNED THE COMPLAINT APPEAL WITH A NEW SCREENING FORM AVERING:

11 RE-SUBMIT THIS APPEAL WITH NEW VERBIAGE OR A NEW CDC-602, SO THAT THE APPEAL MAY BE PROCESSED. REMOVE STAFF COMPLAINT LANGUAGE AND IT WILL BE PROCESSED.

ATTACH SUPPORTING DOCUMENTS, I.C.C. 1286 CHRONO, DISPOSITION OF RULES VIOLATION REPORT RIR IN QUESTION! (See EXHIBIT 'Y' )

ON JUNE 5TH 2007 WHILE HOSPITALIZED in THE INFIRMARY AT LANCASTER PRISON I SUBMITTED AN INMATE REQUEST FOR INTERVIEWS TO CC11 VI POWERS REQUESTING TO BE PROVIDED COPIES OF:

1. The JULY 5, 2006 CDC-128-G INITIAL UCC CHRONO AT CALIPATTA PRISON,
2. The MARCH 15, 2007 I.C.C. CDC-1286 CHRONO FROM CSP-LAC;
3. The MARCH 9, 2007 CDC+114D HEARING ORDER PREPARED BY C. FORTSON AT CSP-LAC.

(SEE EXHIBIT 'Z')



When CCH Powers Failed to Respond in a reasonable amount of time, on June 13, 2007, I submitted to her a Form CDC-602 mandating the ~~for~~ mentioned documents.

On July 2, 2007, Two (2) of the three (3) documents were provided, which were items 1, 3, someone affirmed they couldn't locate item (2). (See Exhibit "1" - B)

On July 6, 2007, I submitted yet another inmate request for interview to CCH Powers requesting the below listed items for appropriate review challenging their respective classification actions. (See Exhibit "2" )

On July 15, I submitted yet another Form 602 to Powers, mandating the production of:

1. The March 15, 2007 1.C.C. Chrono from CSP-LAC,
2. The June 2, 2007, 1.C.C. Chrono from CSP-LAC,
3. The June 28, 2007, 1.C.C. Chrono from CSP-LAC

On September 23, 2007 while hospitalized in the infirmary I submitted directly to Acting Warden Haws, AN 1824 AdA form complaint against V. Powers, CCH, alleging she and her subordinates were retaliatorily discriminating against me because of my disability and complaints.

ON OCTOBER 4, 2007, I. CURIEL, IN ANOTHER  
 OF HIS MOST OPENLY BLATANT RETALIATORILY  
 DISCRIMINATIVE OPPRESSIVE ACTIONS AVERRED:  
 "NO OTHER REQUEST THAN STAFF COMPLAINT LANGUAGE.  
 LAC IS UNABLE TO PROCESS OR ASSIGN YOUR APPEAL.  
 YOU NEED TO CHANGE YOUR REQUEST, OR ADD  
 INFORMATION FOR ASSIGNMENT AND OR PROCESSING!  
 [See Exhibit '2' ]

NOTE: The action requested in the above  
 CDCR-1824 AGAINST V. POWERS IS NOT  
 DIFFERED FROM THE ACTION REQUESTED  
 IN THE 1824 AGAINST R. MIRALTA,  
 PALACIOS, CIO, C. FORTSON, CAPTAIN,  
 J. MORELLI, CIO, K. MOENING, ETC,  
 WHICH IS PENDING REVIEW!

ON OCTOBER 4, 2007, WHILE HOSPITALIZED IN THE  
 INFIRMARY I BEGAN TO BE SUBJECTED TO OPENLY  
 BLATANT RETALIATORILY DISCRIMINATIVE WONTON  
 DELIBERATE INDIFFERENCE TO MY PAIN AND SUFFERING  
 BY CIO C. CHESTNUT, WHO ON THE FOREMENTIONED  
 DATE DROPPED MY INCOMING MAIL ON THE FLOOR  
 OUTSIDE THE INFIRMARY ROOM DOOR AND PROCEEDED  
 TO KICK THE MAIL INTO THE ROOM AT 01:400 AM!

CIO CHESTNUT ON MORE OCCASIONS THAN ONE CAN  
 HAS SUBJECTED ME TO WONTON BLATANT RETALIAT-  
 ORILY DISCRIMINATIVE DELIBERATE INDIFFERENCE TO  
 PAIN AND SUFFERING BY PROHIBITING AND  
 INTIMIDATING THE MEDICAL NURSES OR CNA'S  
 (CERTIFIED NURSE ASSISTANTS CNA'S) FROM  
 DISCHARGING THEIR MEDICAL MANDATES

IN PROVIDING PATIENTS LIKE MYSELF AND OTHERS MUCH NEED ICE OR COLD WATER I'M CURRENTLY HOSPITALIZED IN A ADA ROOM IN THE INFIRMARY MY ROOM ONLY HAS A "HOT WATER BUTTON" I DO NOT HAVE COLD WATER IN MY ROOM. I WAS PRESCRIBED FIBERLAX TO HELP ME HAVE REGULAR

MOVEMENTS IN LIGHT OF MY BEING BED RIDDEN. THUS IN ORDER FOR THE MEDICATION TO WORK EFFECTIVELY WITHOUT CAUSING THE CONSTIPATION IT <sup>WAS</sup> ORDERED TO PREVENT IT IS . . . PARA MOUNT I BE HYDRATED! HOWEVER C/O CHESTNUT THE TWO (2) DAY SIXTEEN (6) HOUR C/O HAS ENACTED HIS OWN, ALLOTTED TIME TO PROVIDE ICE OR COLD WATER TO! THUS HE DOESN'T ALLOW WATER OR ICE TO BE PASSED OUT FROM TWO (2) P.M. UNTIL 7:30 OR 8:00 P.M.!

THUS ON OCTOBER 4, 2007 I SUBMITTED DIRECTLY TO ACTING WARDEN HALLS, AN CDCR-1824 COMPLAINT FORM. HOWEVER J. CURIEL REFUSED TO FILE THE COMPLAINT, ASSERTING I WAS CIRCUMVENTING THE CDC-602 APPELLANT PROCEDURE BY FILING THE 1824 AGAINST CHESTNUT! THUS HE REFUSED TO FILE THE CDC-1824!

THUS ON OCTOBER 26, 2007 I SUBMITTED THE COMPLAINT TO DIRECTOR J. TIPTON FOR ACTION. (SEE EXHIBIT '3')

ON OCTOBER 20, 2007, I SERVED UPON ACTING WARDEN HALLS, AND DIRECTOR TIPTON A HAND WRITTEN THREE (3) PAGE COMPLAINT AGAINST C/O C. CHASTNUT OUTLINING HIS RACIST DEMANNAR TOWARD INMATE BARNETT ETC ROOM 14, AS WELL AS HIS WONTON RETALIATORY DISCRIMINATIVE DELIBERATE INDIFFERENCE TO MY PAIN AND SUFFERING.

HOWEVER THREE (3) DAYS BEFORE THE SUBMISSION OF THE HANDWRITTEN COMPLAINT I, SUBMITTED A CDCR-602 FORM COMPLAINT PRETTY MUCH OUTLINING THE SAME OVERZEALOUS CONDUCT. THERE TO J. CURIEL, APPEALS COORDINATOR ONCE AGAIN IN RETALIATORY MODE REFUSED TO FILE THE COMPLAINT ON NOVEMBER 7, 2007 ALLEGING:

- 11 YOU HAVE PREVIOUSLY FILED APPEALS TO THE IAC (INMATE APPEALS COORDINATOR) IN REGARDS TO THIS INCIDENT AND WAS SCREENED APPROPRIATELY.
- ADD INFORMATION THAT HASN'T BEEN ADDRESSED OR CHANGE REQUEST IN SECTION 'B' FOR PROCESSING! (SEE EXHIBIT 5)

ON MAY 8, 2007, WHILE HOSPITALIZED IN THE INFIRMARY I DELIVERED THREE (3) COMPLAINTS TO THE C/O ADDRESSED TO:

1. MR. DERRICK L. DILLINSON, WARDEN  
19005 WILKES ROAD  
BLYTHE CALIF 92225

Addressed on the envelope  
"CONFIDENTIAL LEGAL MAIL"

2. MR. L. E. SCRIBNER, WARDEN  
7018 BLAIR ROAD  
CALIPATRIA CALIF 92233

"CONFIDENTIAL LEGAL MAIL"

3. MR. JOHN DOVER, DIRECTOR OF CORRECTIONS  
1515 S. ST  
SACRAMENTO CALIF 95814

"CONFIDENTIAL LEGAL MAIL"

THESE COMPLAINTS WERE SEALED IN PERSONAL ENVELOPES WITH CDCR-193 TRUST WITH DRAWS ATTACHED TO EACH TO COVER POSTAGE. ON OR ABOUT MAY 9, 2007 I OBTAINED RECEIPT OF THE ABOVE MENTIONED FROM THE MAIL ROOM AVERING:

"AS ADDRESSED THIS MAIL DOES NOT MEET LEGAL MAIL CRITERIA PER TITLE 15 3191-3165"

I AGAIN ATTEMPTED TO SEND THE ABOVE MENTIONED IN STATE PROVIDED INDIGENT ENVELOPES BECAUSE ON ~~ONE~~ SUCH INCIDENT THE MAIL ROOM AVERED I NEED 17 CENTS FOR ADDITIONAL POSTAGE



ON MAY 25, 2007 I SUBMITTED TO WARDEN (A) SULLIVAN A COMPLAINT PURSUANT TO PENAL CODES 147 832.5, AGAINST THE MAIL SERGEANT ALLEGING WILLFUL OBSTRUCTION OF ACCESS TO THE COURTS BY ATTEMPTING TO FRUSTRATE THE EXHAUSTION OF MY APPELLATE RIGHTS

ON JUNE 27, 2007, AT THE COMPLAINT INTERVIEW WITH J. CAGAIAN, HE ASSERTED:

"ON NO SET OF CIRCUMSTANCES WAS HE AS THE MAIL ROOM SUPERVISOR EVER RESPONSIBLE FOR THE MAILING OF ANY INMATE MAIL TO ANOTHER INSTITUTION OR THE DIRECTOR OF CORRECTIONS"

AT THE MAIL ROOM COMPLAINT INTERVIEW I EXHIBITED TO CAGAIAN, A MAY 8, 2007 MEMORANDUM AND CDCR-602 FORM COMPLAINT I OBTAINED FROM S. EMIGR ACTING CHIEF OF INMATE APPEALS WHO DIRECTED I OBTAIN A JULY 5, 2006, CDCR-1286 B.C.C. CHRONO FROM MY INITIAL APPEARANCE AT THE B.C.C. TO CONTEST THE HEARING. THE CHRONO IN HERE REFERENCE IS THE ONE OBTAINED FROM V. POWERS JULY 2, 2007

THUS WHEN I EXHIBITED THE CDCR-1286 CHRONO AFFIXED TO THE COMPLAINT WITH (27) PAGES OF EXHIBITS, MR. CAGAIAN

Avered: The COMPLAINT AS OBTAINED FROM THE INMATE APPEALS BRANCH MANDATING I OBTAIN THE CHRONO AND AFIX IT TO THE COMPLAINT AND RETURN. WOULD N'T BE MAILED BACK BECAUSE ADDITIONAL POSTAGE WOULD N'T BE ADDED BECAUSE IT WAS N'T LEGAL MAIL! (SEE EXHIBIT '7')

Therefo when I Submitted MY JULY 8, 07 DISSATISFIED: REQUEST for Second level REVIEW I ASSERTED:

"THE FIRST level response TAKEN BY DEFENDANT J. CAGAWAN LIVES IN THEATER OF THE ABSURD, BECAUSE CDCR HAS ITS OWN INTER PRISON MAIL SYSTEM AND THUS NO ADDITIONAL POSTAGE WOULD BE INCURRED"

ON JULY 20, 2007 CURIEL RETURNED THE COMPLAINT ATTACHED WITH A SECOND level (WARDENS LEVEL) SCREENING form ABRIDGING MY FIRST AMENDMENT CONSTITUTIONAL RIGHTS AVERING:

"YOU'VE MADE INAPPROPRIATE STATEMENTS, ALTHOUGH THE CHOICE OF WORDS SELECTED IN AND OF THEMSELVES ARE NOT PROFANITY, THEY WERE USED IN A MANNER IN WHICH, MAKES THE STATEMENT INAPPROPRIATE. THE STATEMENT WAS ADDED TO THE APPEAL ONLY TO MAKE A DEGRADING COMMENT ABOUT STAFF, (THE STATEMENT WAS NOT FOR THE PROCESSING OF THE APPEAL.) REMOVE THE INAPPROPRIATE STATEMENT AND THE APPEAL WILL BE SCREENED BASED ON ITS MERITS." (SEE EXHIBIT '6')

UPON PERUSAL OF THE JULY 20, 2007, ABRIDEMENT MEMORANDUM AND IN A MOMENT OF APPEASMENT I INKED OUT THE WORD 'ABSURD', HOWEVER BECAUSE I'M CURRENTLY AD-SEC STATUS ALL THE STAPLES ARE REMOVED FROM ALL MY INCOMING MAIL.

THUS WHEN PERUSING ANOTHER A JUDGMENT MEMORANDUM FROM CORTEL DATED JUNE 25, 2007 AND JULY 5, 2007! WHICH ASSERTED:

### 11 JUNE 25, 2007 MEMORANDUM

THIS APPEAL HAS BEEN FORWARDED TO THE HIRING AUTHORITY AND IT HAS BEEN DETERMINED THAT THIS APPEAL DOES NOT MEET THE REQUIREMENT TO BE ASSIGNED AS A STAFF COMPLAINT.

YOU HAVE ADDED UNNECESSARY VERBIAGE, CORRECT THE VERIAGE AND SIMPLIFY THE REQUEST NOT TO INCLUDE STAFF COMPLAINT LANGUAGE AND THE APPEAL WILL BE PROCESSED"

(SEE EXHIBIT 'G' )

### "JULY 5, 2007 MEMORANDUM

11 RE-SUBMIT THIS WITH NEW VERBIAGE OR A NEW CDC-602 SO THAT THE APPEAL MAY BE PROCESSED, RE-MOVE STAFF COMPLAINT LANGUAGE AND IT MAY BE PROCESSED.

ATTACH SUPPORTING DOCUMENTS, UCC 1286 CHRONO, DISPOSITION OF RIR IN QUESTION.

(SEE EXHIBIT 'G' )

The Above mentioned COMPLAINT concerns  
 A JUNE 4, 2007 I.C.C. where I WAS contending  
 MY CONSTITUTIONAL RIGHTS WERE VIOLATED BY V.  
 POWERS CC 11, DOWNS, ACTING CHIEF DEPUTY WARDEN,  
 HOWEVER I INADVERTENTLY ATTACHED THE JULY 20,  
 07, MAIL ROOM MEMORANDUM, TO THE JUNE 25, 07,  
 JULY 5, 07 MEMORANDUMS, THIS MR. CURIEL  
 IN ANOTHER ONE OF HIS RETALIATORY mode!  
 MOMENTS OF INDIFFERENCE CANCELLED THE APPEAL!  
 (SEE EXHIBIT 'G' )

MR. CURIEL AGAIN ON OR ABOUT JUNE 29, 2007  
 RETALIATORILY VIOLATED MY FIRST, FIFTH,  
 EIGHTH, AND FOURTEENTH AMENDMENT CONSTITUTIONAL  
 RIGHTS BY REFUSING TO PROCESS THE THREE (3)  
 PAGE COMPLAINT AND TWENTY-SEVEN OF EXHIBITS  
 BACK TO THE INMATE APPEALS BRANCH IN  
 COMPLIANCE WITH THE STATE COURT DECISION  
 ANNOUNCED IN IN RE MICHAEL BROCKHEIM  
AUGUST 8, 2005 SOIANO SUPERIOR COURT NO#  
FCR 219566

CCR TITLE 15 3084.2(C) STATES:

"The APPEALS COORDINATOR IS CHARGED  
 WITH RECEIPT AND PROCESSING ALL APPEALS  
 FROM THE FORMAL TO THE THIRD LEVEL"

While The Appellate memorandum was sent to me at SATF, while in a crisis bed, I did not obtain the mail until late March at CSP-LAC, thereto in obedience to the memorandum I removed the supporting documentation which consisted of the one (1) page complaint one (1) continuation page, and the (2) pages of questions to be propounded to the six (6) witnesses

On May 16, 2007 while hospitalized in the infirmary at CSP-LAC after having been provided indigent envelopes, I submitted one of such envelopes addressed to Warden Scribner containing the Teeters complaint addressed as confidential legal mail

On or about May 22, 2007 I again sent the mailed complaint to Warden Scribner. However Mr. Cagailawan refused to send the complaint out in a state indigent envelope advising additional postage was required! Thus I've been prohibited from proper exhaustion of the complaint! (See Exhibit F)



ON JULY 17, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AT CSP-LAC I, SUBMITTED DIRECTLY TO ACTING WARDEN F. B. HALLS AN AMERICANS WITH DISABILITIES COMPLAINT CHECK IN AFTER ADA) AGAINST R. MIRALTA, PALACIOS, C/O, FORTSON, CAPT, J. MORELLI, C/O, K. MOENING, C/O, S. MOSTAFANIA, PHYSICIAN ASSISTANTS MIRALTI, MTA. ALLEGING: "THE RETALIATORY WORKON INFLECTION OF DELIBERATE INDIFFERENCE TO MY PAIN AND SUFFERING, RETALIATORILY MOTIVATED RACIAL ASSAULT AND BATTERY, EXCESSIVE USE OF FORCE, AND UNSANITARY LIVING CONDITIONS"

THE COMPLAINT WAS ISSUED LOG # LAC-A-07-1689 ASSIGNED A. DUE DATE: AUGUST 23, 2007, ON OR ABOUT AUGUST 18, 2007 I WAS INTERVIEWED BY V.S. DANNA, SGT. AT THE INTERVIEW I PROVIDED SGT DANNA COPIES OF TWO (2) 1845'S DATED APRIL 14, 2006, APRIL 4, 2007, A FEBRUARY 9, 2007 COMPREHENSIVE ACCOMODATION CHRONO, PRESCRIBING A MEDICAL WALKER, A JANUARY 5, 2007 CHRONO FROM AD-SEG M. HUNT. (SEE EXHIBIT '8' )

ON OCTOBER 2ND, 2007 I SERVED UPON MR. DOWNS ASSOCIATE WARDEN A/B, AND J. CURE, APPRAIS COORDINATOR A MEMORANDUM IMPLORING EACH INTO THE COMPLETION OF THE (ADA) COMPLAINT WHICH HADN'T BEEN COMPLETED AND WAS WELL OVERDUE. (SEE EXHIBIT '9' )

ON JULY 19, 2007 WHILE HOSPITALIZED IN THE INFIRMARY AWAITING MEDICAL TRANSFER TO SATF AT CORCORAN I, WAS OUT OF THE BLUE SUMMONED BEFORE, WOFFORD, ASSOCIATE WARDEN HEALTH CARE SERVICES, V. POWERS, CC III C, FORTSON, FACILITY CAPTAIN, AT ANOTHER RETALIATORILY DISCRIMINATIVE MOTIVATED I.C.C., WHERE MR. WOFFORD WHO'S CHARGED WITH OVERSIGHT AND COORDINATION OF ALL (ADA) COMPLAINTS, AND WHO WOULD HAVE BEEN ALTIMATELY CHARGED WITH FINAL WORD OF THE (ADA) COMPLAINT INVESTIGATION AGAINST R. MIZALT, ETC RETALIATORILY AVERED:

- 11 I LOOKED THROUGH YOUR FILE AND DISCOVERED A FIVE (5) MONTH OLD, DISCIPLINARY REPORT FOR BATTERY ON A CORRECTIONAL OFFICER, SO WE'LL BE REQUESTING THE CSR GRANT A (90) EXTENSION OF YOUR AD-SEG CONFINEMENT SO THAT WE CAN ISSUE YOU A CDCR-115 FOR THE ALLEGED OFFENSE, SO HAVE A GOOD DAY!!

THUS WHILE MS. WOFFORD AND MS. POWERS PLAY RETALIATORY GOD, I'VE BEEN CONFINED TO BED ROBbed OF ANY REAL OPPORTUNITY AT SURGERY OR MEANINGFUL THERAPEUTIC BENEFIT, WHILE I, LAY HERE IN BED IN EXCRUCIATING PAIN, AWAITING THE NEXT RETALIATORY PUNCH FROM A CORRUPT CDCR EMPLOYEE!

IN BRESSMAN V. FARRIER (W.D. Iowa) 825

F. Supp 231 Held:

- 11 A PRISON OFFICIAL CANNOT CENSOR MAIL JUST BECAUSE IT MAKES RUDE COMMENTS ABOUT THE PRISON OR PRISON STAFF"

IN ESTELLE V. GAMBLE (96429 U.S. 109-05 Held:

- 11 Indifference is manifested by PRISON DOCTORS in the response to the PRISONERS needs, or by PRISON GUARDS in intentionally denying or delaying ACCESS TO MEDICAL CARE, OR INTENTIONALLY INTERFERING WITH THE TREATMENT once prescribed"

IN BROWN V. VALOFF (9th Cir 05) 422 F3d 926 Held:

- 11 Under the PRISON LITIGATION REFORM ACT (PLRA) AN INMATE IS NOT REQUIRED TO PURSUE AN APPEAL WHEN RELIEF IS NO LONGER AVAILABLE"

IN HELLING V. MCKINNEY (93) 509 U.S. 25-32 Held:

- 11 To ESTABLISH THE VIOLATION OF THE EIGHTH AMENDMENT IT IS NECESSARY TO SHOW A DEPRIVATION OF A BASIC HUMAN NEED, FOOD, CLOTHING, SHELTER, EXERCISE, MEDICAL CARE OR REASONABLE SAFETY"

ON November 6, 2007, while HOSPITALIZED IN THE INFIRMARY AT CSP-LAC, overcome by the DISCRIMINATIVE RETALIATORY NATURE OF MENTAL PHYSICAL AND PSYCHOLOGICAL WONTON MALICIOUS AND SADISTICAL INFLECTION OF CRUEL AND UNUSUAL DELIBERATE INDIFFERENCE TO MY PAIN AND SUFFERING BEING IMPOSED BY CIO'S C. CHESTNUT T. CHAPMAN, I SERVED UPON MR. T. BLOSKIE, Chief Medical Officer (CMO) M.D., CSP-LAC; The Honorable MR. Theilton Henderson, Judge, MR. Robert Siller, Federal Monitor, MR. John HAGAN ATTORNEY, MR. J. TIPTON, DIRECTOR OF CORRECTIONS, A THREE (3) PAGE MEMORANDUM ENTITLED: INVOLUNTARY DISCHARGE FROM CTC PREMISED UPON MAITRETTMENT PENDING PRIOR RECOMMENDED MEDICAL TRANSFER TO THE SATF AT CORCORAN CALIF

OUTLINING MY INTENTION TO FOREGO FURTHER MENTAL OR MEDICAL MAITRETTMENT AT CSP-LAC PENDING INVOLUNTARY DISCHARGE FROM THE INFIRMARY PENDING TRANSFER. I  
(SEE EXHIBIT 10)

ON NOVEMBER 6, 2007 AT APPROXIMATELY 01:00 AM. WHILE HOSPITALIZED IN THE INFIRMARY AWAITING BACK SURGERY I WAS AWAKEN BY THE OBVIOUSLY LOUD TELEVISION FROM THE DAYROOM BEEN ENJOYED

by C/O C. CHESTNUT! I'M DAILY AND NIGHTLY MEDICATED TO OBTAIN ANY MEASURABLE RELIEF FROM THE EXCRUCIATING DABILITATING BACK AND SPINAL PAIN, ONCE AWAKEN I CAN'T BE PROVIDED PAIN MEDICATION ON THE BASIS OF AN OVERZEALOUS CORRUPT RACIST C/O, WHO'S USED THE TENURE OF HIS TIME TO UNGREATFULLY ABUSE DYING OR MENTALLY ILL PRISONERS.

ON NOVEMBER 20, 2007 I'LL SUBMIT A FORM CDCR-602 COMPLAINT PREMISED UPON CALIF PENAL CODE 149, 832.5 AGAINST C/O CHESTNUT FOR WILLFUL VIOLATION OF CCR TITLE 15 3391, 3394, 3395 (SEE EXHIBIT '11')

NOTE: C. CHESTNUT IS EMPLOYED AS A C/O AND CURRENTLY ASSIGNED TO THE CTC, FIVE (5) DAYS A WORK, HOWEVER BECAUSE HE'S MAINTAINED AN ILL EIGHT (8) JOB SWAP ROUTINE TO ENTERTAIN A SECOND SOURCE OF INCOME AT A JOB OUTSIDE THE DEPARTMENT, HE'S WORKING TWO (2) SIXTEEN (16) HOUR SHIFTS DURING THE DAY WHEN HE WOULDN'T COME IN CONTACT WITH PRISONERS!



ON OCTOBER 18, 2007 WHILE HOSPITALIZED IN THE INFIRMARY I WAS SUBJECTED TO DELIBERATE INDIFFERENCE BY C/O C. CHESTNUT WHO DURING MEDICATION DELIVERY RETALIATORILY TOOK MY DINNER MEAL WITHOUT PROVOCATION OR WARNING.

ON OCTOBER 24, 2007 I, AGAIN SUBMITTED DIRECTLY TO ACTING WARDEN HALLS A 1829 (ADA) COMPLAINT, ALLEGING THE WONTON SUBJECTION TO ME OF DELIBERATE INDIFFERENCE PREMISED UPON THE TAKING OF MY DINNER MEAL BY C/O C. CHESTNUT, OF WHICH TAKING LEFT ME HUNGRY, THUS C/O CHESTNUT KNEW TAKING MY DINNER MEAL WOULD INFLICT PAIN AND SUFFERING UPON ME. (SEE EXHIBIT '6')

IN KEENAN V. HALL 1083 Fed 1083 Held:

" DEPRIVATION OF OUTDOOR EXERCISE  
VIOLATES RIGHTS OF INMATES CONFINED  
TO CONTINUOUS AND LONG TERM  
SEGREGATION TO BE FREE FROM  
CRUEL AND UNUSUAL PUNISHMENT "

CDCR TITLE 15 3341.5 SHU TERM ASSESSMENT CHART  
( FIXING OF DETERMINATE CONFINEMENT IN SHU )  
STATES IN PERTINENT PART:

OFFENSE:

TYPICAL TERM (mos)

4. ASSAULT ON  
AN INMATE WITH  
PHYSICAL FORCE  
INSUFFICIENT TO  
CAUSE SERIOUS  
INJURY

LOW EXPECTED HIGH

(06 12 18)

5. THROWING A  
CAUSTIC SUBSTANCE  
ON A NON-INMATE.

(02 03 04)

SHU TERM COMPUTATION TABLE

<u>Shu Term mos</u>	<u>Merit Term</u>	<u>Shu Term Credit</u>
15	11-8	3-22
18	13-15	4-15
2	1-15	0-15
3	2-8	0-22
4	3-0	1-0
14	10-5	3-15

CDCR TITLE 15 UPDATED THROUGH JULY 22, 2006

The Fifth Amendment To The U.S. Constitution  
 STATES: No one Shall Be deprived  
 of life, liberty or Property  
 without Due Process of Law"

IT IS MY CONTENTION THE CORPUS OF  
 EVIDENCE PLACED AT THE DISPOSAL  
 OF ACTING WARDEN F.B. HALLS, ACTING  
 Chief Deputy WARDEN, D. FALKEN,  
 MR. WOFFORD, ASSOCIATE WARDEN Health  
 Services, MR. J. TIPTON, DIRECTOR OF CORRECTIONS  
 (See EXHIBITS H, J, B) DEMONSTRATES  
A CULPABLE STATE OF MIND TO THOSE MENTIONED  
ABOVE) DEPICTS THE PROHIBITION AGAINST  
 EXTENDED ISOLATION, A PRACTICE WHICH  
 HAS BEEN SHOWN TO BE INCONSISTENT  
 WITH THE CONSTITUTION, IS BEING RETALIAT-  
 ORALLY PRACTICED AGAINST ME, OF WHICH  
 PRACTICE IS WONTONLY AND DELIBERATELY  
 SUBJECTING ME TO PAIN AND SUFFERING  
 IN VIOLATION OF THE EIGHTH AMENDMENT,  
 WHERE ANY RETALIATORALLY CONCEIVABLE  
 SHU TERM HAS EXPIRED, THUS THESE OFFICIALS  
 MOTIVATION CAN ONLY BE CASED AS RETALIAT-  
 ORY.

Submitted:

Addendum

ON November 20 2007, while HOSPITALIZED IN THE INFIRMARY AT CSP-LAC AN Housed IN AN (ADA) COMPLETE ROOM WITH GUARD RAILS, I, WAS AGAIN SUBJECTED TO THE WORTON MALICIOUS AND SADISTICAL INFLECTION OF CRUEL AND UNUSUAL RETALIATORY MOTIVATED DELIBERATE INDIFFERENCE TO PAIN AND SUFFERING BY GEPHART, SGT, J. FRENCH, AND ALI CHARGE NURSE, WHO FORCEFULLY MOVED ME FROM AN INFIRMARY ROOM WITH GUARD RAILS, TO A ROOM WITH OUT, THERE TO ONCE IN THE ROOM UPON ATTEMPTING TO AMBULATE TO THE TOILET WITH MY WALKER, I, FELL TO THE GROUND DEFECATING AND URINATING ON MYSELF THERE TO UPON BEING LOADED INTO A POTTIE CHAIR I, WAS WHEELED TO THE SHOWER, WHERE ONCE CLEANED UP, I, WAS MEDICALLY ASSESSED BY DR. COCKE WHO PRESCRIBED TYLENOI WITH CODEINE.

ON November 21, 2007 while confined in the infirmary room without guard rails, I, WAS PHYSICALLY ASSESSED BY MR. Gocke, Nurse-Practitioner, who prescribed Robaxin, Tylenol with codeine and a wheelchair.

ON November 22, 2007, AT THE BREAKFAST meal serving nurse LAC posed to J. Frex C/O

"Why was MR. Hamilton moved from Room #19 to Room #2 where he needed guard rails to assist with ambulation"

There to C/O Frex answered: He (Hamilton) CAN WALK"

NOTE: There are currently four (4) inmates who are (ADA) PATIENTS:

1. Eugene Hamilton E-33021, currently not assigned to an (ADA) infirmary room.
2. Dennis Dawley, K-55293, currently not assigned to an (ADA) infirmary room.
3. Robert Edwards, K-15025, currently assigned to an (ADA) infirmary room.
4. Edward Harrell, K-79332, currently assigned to an (ADA) infirmary room.



NOTE: There are only TWO (2) ADA HANDICAP INFIRMARY ROOMS AT CSP-LAC. These rooms were recently equipped with TELEVISION ANTENNAES. There to the only (ADA) PATIENT HOUSED in AN (ADA) HANDICAP ROOM WAS MYSELF

However on November 20, 2007 PROCEEDING, SGT. GEPHART, FREY NURSE ALI'S RETALIATORY DISCRIMINATIVE REMOVAL of me from the (ADA) HANDICAP room, MS. ANNIE MANIA, ATTORNEY, FEDERAL MONITOR OF THE VALDIVIA VS. SCHWARZENEGGER CLASS LITIGATION MADE A SURPRISE VISIT where I made them cognizant of my removal from the HANDICAP ROOM, AND ALL OTHER ISSUES OF MISTREATMENT. Thus MS. MANIA, observed A NON (ADA) PARTICIPANT MR. RUBEN GAXOLAI, T-13966, WHO'S UNDERGOING TREATMENT for SQUAMOUS CELL CARCINOMA OF HEAD AND NECK (CANCER) HOUSED in Room 18. There to upon being CAUGHT Red handed the federal monitor's being ESCORTED by MR. WOFFORD, ASSOCIATE WARDEN HEALTH CARE SERVICES, MANDATED I, OR ANOTHER (ADA) HANDICAPPED INMATE be ASSIGNED TO the room.

Thus in ANOTHER OPEN HANDED RETALIATORILY  
MOTIVATED DISCRIMINATORY MOVE, in AN  
ATTEMPT TO SPITE ME, SGT. GEPHART,  
C/O FRY, NURSE ALI, ASSOCIATE WARDEN WOFFORD,  
CONSPIRED TO MOVE MR. EDWARD HARRELL K 79332  
INTO THE (ADA) HANDICAP ROOM!

NOTE: The RETALIATORILY MOTIVATED DISCRIMIN-  
ATORY NATURE OF SGT. GEPHART, C/O FRY,  
NURSE ALI, ASSOCIATE WARDEN WOFFORD,  
OF SPITTING ME TO MOVE MR. HARRELL  
INTO THE (ADA) HANDICAP ROOM  
IS DEPICTED WHERE MR. HARRELL, WHO'S  
UNDERGOING TREATMENT FOR MYASTHENIA  
GRAVIS, HTN, HYPERTHYROIDISM WHERE HE'S  
BEEN HOSPITALIZED IN THE INFIRMARY  
SINCE MARCH 23, 2006, WHERE HE'S ONLY  
BEEN ASSIGNED TO AN (ADA) ROOM AT HIS  
OWN WILL!

ON NOVEMBER 25, 2007, I, SUBMITTED DIRECTLY  
TO MR. F.B. HALLS, ACTING WARDEN, AN CDCR-1824  
COMPLAINT AGAINST GEPHART, SGT. J. FRY, C/O  
ALI, CHARGE NURSE, ALLEGING THE WONTON MALICIOUS  
AND SADISTICAL INFLECTION OF CRUEL AND UNUSUAL  
RETALIATORILY MOTIVATED DELIBERATE INDIFFERENCE  
TO MY PAIN AND SUFFERING.

MS. CRUZ,

BECAUSE THE LAW IS CLEARLY ESTABLISHED PROHIBITING THE CONDITIONS I'VE BEEN, AND CONTINUE TO BE MALTREATED UNDER, I'M COMPELLED TO CONFRONT YOU WITH YOU IN HOPE THAT MY AD-SEG PLACEMENT FROM THE JULY 19, 2006 AFFAIR DOESN'T CLOUD YOUR VIEW, AS IT HAS OTHERS, THUS THE VOLUMINOUS EXHIBITS AND THE MEMORANDUM BEING PLACED AT YOUR DISPOSAL FOR PERUSA, SHOULD COMPELL THE CONCLUSION MY PRESENT HOUSING STATUS NOT MEDICAL IS BUT EXAGGERATED EXCESSIVE AND TOTALLY PUNITIVE, THEREFORE I, WRITE TO YOU IN SUCH A LONG HAND, SO PERHAPS YOUR CONDUCT IN ALLEGEDLY OBTAINING MY MEDICAL TRANSFER WON'T BE DEPICTED TO HAVE NOT PASSED CONSTITUTIONAL MUSTER, BUT THEN I'VE ONLY BEEN LYING IN BED SIXTEEN (16) MONTHS, AND TRANSFERRED TO FOUR (4) DIFFERENT PRISONS.

DATED:

2007 Respectfully Submitted:

E. Hamilton

EUGENE HAMILTON IN PRO-SE

TO: MS ANNE MANIA

FROM: MR. EUGENE HAMILTON T-33081 P.O. Box  
4670 HWY 17 LANCASTER CA 93539

SUBJECT: RETURN TO wheelchair Accessible  
CTC Room, AT LANCASTER PRISON,  
AND RETALIATORILY DISCRIMINATIVE  
PUNITIVE AD-SEG SHU CONFINEMENT

MS. MANIA

Hello AGAIN, ON November 28, 2007,  
I WAS while HOSPITALIZED in the CTC  
AT LANCASTER PRISON. RETURNED TO  
A wheelchair Accessible CTC Room  
UPON being CLASSIFIED. DPLUS, by  
DOCTORS GOCKE, and FINANDER, due  
TO A FALL in the now wheelchair  
Accessible cell, (See Addendum 11.)

MS. MANIA, ALSO ON December 6, 2007,  
while HOSPITALIZED in the CTC, I  
WAS wheeled TO THE AD-SEG Housing  
Unit, where I APPEARED before A  
RETALIATORILY MOTIVATED DISCRIMIN  
ATIVE CLASSIFICATION COMMITTEE, who  
ASSESSED me AND EIGHTEEN (18) MONTH  
SECURITY Housing Unit (SHU) Term  
which culminated from my being  
THE VICTIM OF A RACIALLY MOTIVATED  
ASSAULT AND BATTERY (See Exhibit 12)  
AND Addendum 11.

MS. MANIA, ALSO FOR WHAT IT'S WORTH I'LL  
 BE SUBMITTING AN (ADA) COMPLAINT TO ACTING  
 WARDEN HAUS, BUT I HAVE GRAVE DOUBTS  
 ABOUT THE COMPLAINT BEING FILED OR PROCESSED  
 BECAUSE, MR. HAUS AND HIS ADMINISTRATION  
 IN THE PAST HAVE OPEN HANDEDLY RETALIATED  
 REFUSED TO PROVIDE ME THE CDOR-1886  
 CLASSIFICATION CHRONO DENOTING WHAT ACTION  
 THE COMMITTEED TOOK!

ALSO I HAVE EVERY INTENTION OF CONTACTING  
 THE FBI ABOUT BEING ATTACKED AND CHARGED.

I'M ALSO IN THE PROCESS OF SENDING MR. WARDEN  
 A (70) PAGE MEMORANDUM AND EXHIBITS.

THUS SAY MS. MANIA THANK YOU VERY MUCH  
 FOR YOUR AVAILMENT.

DATED: DEC 6, 2007

RESPECTFULLY  
 E. Hamilton



Addendum  
II.

ON December 6, 2007 while HOSPITALIZED in THE CTC INFIRMARY AT LANCASTER PRISON, I WAS TAKEN TO AN I.C.C. BEFORE A MR. WIAPER, ACTING ASSOCIATE WARDEN, MS. K. CRUZ, C & P R., V. POWERS, C C I I, WHERE THESE PRISON OFFICIALS, RETALIATORILY IMPOSED AN 18 MONTH SHU TERM AGAINST ME ALLEGEDLY FOR "ASSAULT ON A NON INMATE WITH PHYSICAL FORCE INSUFFICIENT TO CAUSE SERIOUS INJURY"

THE ABSURD THING ABOUT BEING RETALIATORILY CONFINED IN SHU, ALLEGEDLY FOR THE MARCH 10, 2007, ASSAULT ON STAFF, IS I'VE NEVER BEEN ISSUED A DISCIPLINARY VIOLATION REPORT OR APPEARED AT A DISCIPLINARY HEARING CONCERNING SAID OFFENSE!

THIS INSTEAD OF BEING TRANSFERRED TO THE ACUTE CARE MEDICAL FACILITY AT SATF AT CORCORAN, CALIF OR THE CALIF MEDICAL FACILITY AT VACCAVILLE CALIF, I'M BEING RETALIATORILY CONFINED IN SHU AT CORCORAN CALIF, FURTHER BEING (SEE EXHIBIT 16)

SUBJECTED TO RETALIATORILY MOTIVATED WORST  
 DELIBERATE INDIFFERENCE TO PAIN AND SUFFERING,  
 PREMISED UPON MY (ADA) COMPLAINTS AGAINST  
 R. MIRALTI, C. FORTSON, CAPT. V. POWERS, EC 11,  
 MR. DOWNS, ASSOCIATE WARDEN, C. CHESTNUT C/O

NOTE: FROM THE RETALIATORILY MOTIVATED  
 SHS TERM OF 18 MONTHS, THESE  
 OFFICIALS ESTABLISHED A RELEASE  
 DATE FROM SHS OF APRIL 25, 2008.

I'VE BEEN ASSIGNED AND CONFINED  
 AD-SEG SHS STATUS SINCE JULY 18,  
 2006, OR 17 MONTHS.

CCR TITLE 15.3341.5 STATES FROM  
 AN 18 MONTH SHS TERM AN INDIVIDUAL  
 WOULD BE CONFINED IN SHS 13 MONTHS  
 AND 15 DAYS.

THUS WITHOUT ANYONE UTILIZING THEIR  
 INNER GENIUS YOU CAN DISCEARN THESE PRISON  
 OFFICIALS ARE RETALIATING AGAINST ME,  
 ALL THE WHILE ENDANGERING MY HEALTH.  
 THERETO, MR. MORRIS I'M IMPLORING YOU  
 TO PLEASE SAVE MY LIFE.

DATED: December 6 2007 RESPECTFULLY  
 E. Hamilton

## ACKNOWLEDGEMENT OF MAILING

I (A) E. HAMILTON, am a resident of California State Prison-Los Angeles County (LAC) at Lancaster, County of Los Angeles, California, and I am at least 18 years of age. My mailing address is California State Prison-Los Angeles County, Facility \_\_\_\_\_, Bldg. INF, Bed \_\_\_\_\_, P. O. Box 4690, Lancaster, California 93539.

On (B) DEC 13, 2007, I mailed a true and correct copy of the following document (s); (YOU DO NOT HAVE TO GO INTO DETAIL ABOUT THE DOCUMENTS)

MEMORANDUM OF RETALIATORILY DISCRIMINATIVE  
PROTRACTED ADMINISTRATIVE PUNITIVE CONFINEMENT,  
DEVOID OF THERAPEUTIC OR PENOLOGICAL JUSTIFICATION

On each party listed below by placing it in an envelope, with adequate postage or provided, and by depositing said envelope in a box for the United States Mail at LAC, 44750 60<sup>th</sup> Street West Lancaster, California 93536.

This copy is being mailed to (D): MR. T. NOLANI, Federal (ADA) monitor  
MR. DAVID MORRIS, Federal Bureau of Investigation  
F. B. I

I have mailed additional copies to (D): The Honorable Thelton Henderson,  
JUDGE, MR. J. TIPTON, Dir of corrections

MR. JOHN HAGAR, ATT AT LAW, SPECIAL MASTER

There is regular delivery service by the United States Mail between the above place of mailing and the parties listed.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated (E): December 13, 2007, at Lancaster, California 93536.

Signed: E. Hamilton, CDC#: T-33081

Revised January 19, 2005

LAC MAILROOM ACKNOWLEDGEMENT OF MAILING

DATED: \_\_\_\_\_

SIGNED: \_\_\_\_\_

TO: MR. DAVID MORRIS, FEDERAL BUREAU OF INVESTIGATION  
FROM: MR. EUGENE HAMILTON T-33081, P.O. BOX 4670  
LANCASTER CALIF 93539

SUBJECT: RACIALLY MOTIVATED RETALIATORY ASSAULT  
AND BATTERY CULMINATING IN PHYSICAL  
INJURY & RETALIATORILY DISCRIMINATIVE  
PROTRACTED ADMINISTRATIVE PUNITIVE  
CONFINEMENT DEVOID OF THERAPEUTIC OR  
PENOLOGICAL JUSTIFICATION

DEAR MR. MORRIS  
THE ATTACHED CORPUS OF EVIDENCE IS  
BEING PRESENTED FOR YOUR PERUSAL,  
WHICH DEPICTS OPEN ENDED CONSTITUTIONAL  
VIOLATIONS OF MY RIGHTS, PURSUANT TO  
18 USC A 1512(5), 242, 371, THEREBY I,  
RESPECTFULLY PETITION YOU TO PLEASE  
INVESTIGATE THE SAME LIFE THREATENING  
ACTIONS.

DATED: DEC 13, 2007 RESPECTFULLY REQUESTED:

E. Hamilton  
EUGENE HAMILTON IN PRO-SE

MR. EUGENE HAMILTON T-3300  
P.O. BOX 46701 NFF 17 T-33081  
2 ANCASTER CALIF 9-



UNITED STATES DISTRICT COURT

MR. THELTON E. HENDERSON, JUDGE  
450 GOLDEN GATE AVE  
SAN FRANCISCO CA 94102

COMPONENT 11/17/08 MAIL